PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
March 24, 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. - arrived after The Pledge of Allegiance	
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	
Mr. Paul Mann, Planner II	
Ms. Patricia Detch, Planner I	
Mr. Michael Walker, Planning Technician	
Ms. Sandra Lohman, Executive Secretary	

INVOCATION - Chairman Michael Casey

PLEDGE OF ALLEGIANCE - All

Chairman Casey recognized Councilmember Linda Tilley (Ward IV) - Council Liaison; and Councilmember Barry Streeter (Ward II).

PUBLIC HEARINGS:

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

A. **P.Z. 4-97 Captain's Capital, L.L.C.**; a request for a change in zoning from "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District for a 1.0 acre tract of land located on the north side of Olive Boulevard, east of Hog Hollow Road (Locator Number 16R34-0207). Proposed Uses: General office.

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

Mr. Michael J. Doster, Attorney for the petitioner, noted the following:

- the petitioner is the owner, under contract, of the subject property;
- the proposed one (1) story office building would be 6,200 gross square feet, and approximately 5,500 net square feet in size;
- approximately twenty-five (25) parking spaces are proposed;
- the residential facade of the proposed building will be of brick exterior, with a pitched and shingled roof, and the air conditioner units will be ground mounted (not on the roof);
- the footprint of the proposed office building is angled in front and rear in order to preserve the existing mature trees on the parcel;
- there is a natural berm located on the east side of the proposed site, which will be landscaped with additional trees [approximately fifteen (15) evergreens, having a minimum height of ten (10) feet] for the purpose of screening the proposed office building from the residential development to the east (Eagle Ridge Subdivision);
- parking lot lighting would be directed away from Eagle Ridge and, to the extent possible, ground lighting would be used;
- Optec Sales, Inc. of America will be the user of the proposed office building (the Sales Force would occupy this building - the manufacturing facility is in Mexico, Missouri);
- the sales force, including support personnel, would bring the total number of employees to a maximum of sixteen (16) to twenty (20) people;
- since this is a traveling sales force, there would hardly ever be the need to have customers at the proposed office facility;
- identified the current zoning and uses of the subject site and surrounding area;
- the site, itself, has been used for commercial purposes for a long period of time (i.e., prior to ten (10) years ago it was a barber shop; it was sold ten (10) years ago, and, has been utilized, since that time, as a clock repair and sales shop;

Director Kelley operated the slide projector for Mr. Doster.

- the slides depicted the subject parcel (i.e., the existing structure, and topography of the site);

- the Summary Report for the City's Comprehensive Plan, page 11, appears to preclude the expansion of retail development, but doesn't mention office space;

- assuming office use is a variation from the Comprehensive Plan; allowing an office use, under the circumstances of the subject site, and given the use proposed, would constitute a minor variation;

- the ordinance which adopted the Comprehensive states "The Planning Commission is to consider the Comprehensive Plan as a flexible guideline.";

- in the Summary of the Comprehensive Plan - Conceptual Land Use, page 9, it states " As development occurs, minor variations and refinements should be anticipated.";

- a Conditional Use Permit was issued by St. Louis County in 1971, and a Site Plan submitted to County for expansion of Chesterfield Manor;

- in several conversations with the attorney for the owner of the "R-2" Zoned Chesterfield Manor, the attorney noted the owner of the property has leased the property [the lease expires in five (5) years];

- after the five (5) year lease expires, the owner of Chesterfield Manor intends to expand the facility in accordance with the Conditional Use Permit issued; consequently, it will be developed as an institutional use, not single-family residential;

- he noted that the attorney for Pentrex, the developer of Eagle Ridge, sent a letter to the Planning Commission today, in which Pentrex has withdrawn their previous objection to the proposed development;

- agency comments have all been positive with regard to the proposed project; and

- he noted correspondence from River Bend in which concern was expressed, but stated the proposed development would improve the neighborhood.

COMMENTS/DISCUSSION BY COMMISSION

- Five (5) parking spaces are proposed per 1,000 net usable square feet, for a total of approximately twenty-five (25) spaces.

- The sales office of Optec is currently in Chesterfield Valley.

- The stub street from Eagle Ridge to Chesterfield Manor was identified on the rendering.
- A two (2) story house in Eagle Ridge, near the berm on the east of the subject site, could have a good view of the proposed office building.
- The existing berm is sixteen (16) feet above grade.

SPEAKERS IN FAVOR:

1. Deborah Hansen Jones, 13987 Olive Boulevard, Chesterfield, MO 63017, spoke as current owner of the subject site.
2. Mr. Bob Hockney, 249 San Angelo, Chesterfield, MO 63017, spoke as an individual.

SPEAKERS IN OPPOSITION:

1. Betty Hathaway, 112 High Valley Drive, Chesterfield, MO 63017, spoke as an individual.
2. Allan Sheppard, 826 Judson Manor, Chesterfield, MO 63141, spoke as an individual.

SPEAKERS - NEUTRAL: - None

REBUTTAL:

Mr. Doster noted the following:

- the proposed development represents a flexible approach that improves situations, and does not adversely affect the neighborhood;
- there would not be any domino effect, nor series of rezonings all the way east to 141;
- the "C-8" Zoning would limit the use to that identified in the ordinance governing the subject site, and dictate the appearance of the building, including landscaping; and
- the developer to the east of the proposed site is satisfied.

COMMENTS/DISCUSSION BY COMMISSION

- The proposed tenant, Optec, has made a firm commitment - it would be a purchase.
- Mr. Doster will meet with Ms. Valerie Hartman, President of River Bend Association.

- Under the proposed "C-8" Zoning, the City could dictate, as a condition of the ordinance for the proposed site, that any change of use would require the petitioner to come before the Commission (i.e., a public hearing for an amendment to the ordinance).

- Chesterfield Manor is zoned "R-2" with a Conditional Use Permit; therefore, the proposed "C-8" zoning could be considered spot zoning by some.

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

APPROVAL OF THE MINUTES:

A motion to approve the minutes of March 10, 1997, as amended on page 9, was made by Commissioner Grant, seconded by Commissioner Bly **and passes by a voice vote of 9 to 0.**

PUBLIC COMMENT

1. Nelson Grumney, 50 Briarcliff, St. Louis, MO 63124, spoke in favor of P.Z. 1-97 Valley Village L.L.C./ChesterfieldRamada. He presented a colored rendering of the proposed hotel to the Commission, and gave some photographs to Department Staff.

2. Joseph Burns, 244 Cedar Trail, Ballwin, MO 63011, spoke in opposition to P.Z. 3-97 Lenette Realty (Clayton/Baxter Center), and presented a petition to the Commission containing one hundred and fifteen (115) signatures of Ballwin residents who live in the area that would be immediately impacted by the proposed development.

3. Howard Chapel, 383 Chesterfield Center, Chesterfield, MO 63017, spoke in favor of P.Z. 5-97 Chapel Chiropractic.

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.

Director Jerry Kelley noted, at the request of the petitioner, the Department recommends these petitions be held until the meeting of April 14, 1997.

A motion to hold P.Z. 26 & 27-96 was made by Commissioner McCarthy, seconded by Commissioner Eifler **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.

Director Jerry Kelley noted, at the request of the applicant, the Department requests these matters be held until the meeting of April 14, 1997.

A motion to hold these matters was made by Commissioner Bly, seconded by Commissioner McCarthy **and passes by a voice vote of 9 to 0.**

E. **P.Z. 1-97 Valley Village L.L.C./Chesterfield Ramada**; "M-3" Planned Industrial District to "C-8" Planned Commercial District; north side of Chesterfield Airport Road, 800 feet west of Spirit of St. Louis Boulevard.

Planner I Pat Detch presented the request and the Department's recommendation of approval, subject to conditions contained in "Attachment A."

COMMENTS/DISCUSSION BY COMMISSION

- Department Staff has not had an opportunity to review comments made by the developer tonight (i.e., increased height limitation and decreased setbacks). Tonight was the first time these changes have been presented to the City.

- The Department would not have a problem with going to the forty (40) foot recommendation, in terms of the height.

- The setbacks from Chesterfield Airport Road were discussed, and it was noted that the setbacks could be changed at a later date (i.e., by the Planning and Zoning Committee).

- The Trust Fund is not our call.

- No billboard (advertising) signs would be allowed.

- A drive-through may be permitted in a "C-8" Zoning District, but is not being requested for the subject site.

- The possibility of giving more flexibility to the petitioner to either combine the two (2) buildings across from the Wedge, or convert it into one (1) building for a restaurant, and allow for a drive through, at a future date, was discussed.

- Concerns were expressed regarding the Traffic Study (i.e., the Study indicates the level of service at peak hours is very poor for one of the intersections). The Study further indicates that:

  1) in order to ameliorate these problems, the existing County plan to relocate Olive to intersect with Chesterfield Airport Road, approximately 600 feet west of the proposed site, which would remove most of the side street traffic from Chesterfield Airport Road and Aviation Museum Road intersection, needs to be completed; and

  2) since the Traffic Study indicates there should be three (3) entrances/exits, and the County Highway Department is only allowing two (2), the impact on the traffic needs to be addressed.

- The County Highway Department has not indicated a timeframe for completion of improvements to the intersection of Chesterfield Airport Road and Aviation Museum Road.

- The County Highway Department reviewed the Traffic Study, and their concerns remain the same as they were before the Study was reviewed/considered (i.e., they have dictated that there be only be two (2) entrances/exits allowed).

Commissioner Grant made a motion for approval of P.Z. 1-97 and Attachment "A" from the Department. The motion was seconded by Commissioner McCarthy.

COMMENTS/DISCUSSION BY COMMISSION

- The County Highway Department has not stated they believe the City should deny the petition because of their recommendation to eliminate one (1) of the entranceways/exitways.

- The developer has indicated three (3) stages of development: 1) the hotel with the restaurant; 2) the addition of fifty (50) rooms to the hotel; and 3) the office/conference center and retail shops.

- The Department's main consideration was that the uses would be allowed, provided they could park the uses requested (including loading areas).

- The proposed uses would be identified at the time of submittal of the Site Development Plans/Section Plans.

- In the conclusion of the Traffic Study, referring to the intersection of Chesterfield Airport Road and Aviation Museum Road, it says: "To mitigate the impact of development on this intersection, the eastern most entrance should not be utilized in the first two phases, except as a right-in/right-outonly entrance. The third phase of the development would require the use of this intersection to maintain an acceptable level of services at the other two (2) entrances."

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, no; Commissioner Dalton, yes; Commissioner Eifler, no; Commissioner Grant, yes; Commissioner Layton, yes; Commissioner McCarthy, yes; Commissioner Yaffe, yes; Chairman Casey, yes.

The motion passes by a vote of 7 to 2.

F. **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.

Director Jerry Kelley noted the Department requests this item be held until such time as the Department receives review comments on the Traffic Study from MoDOT.

A motion to hold the item was made by Commissioner Grant, seconded by Commissioner McCarthy **and passes by a voice vote of 9 to 0.**

G. **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.

Director Jerry Kelley noted that, unless the Commission has other pertinent issues that are not spelled-out in the Staff issues memo, the Department requests the Commission to accept this memo into the record as the part of the analysis that Staff will include in its report.

No issues were added.

A motion to hold P.Z. 5-97 was made by Commissioner Grant, seconded by Commissioner Bly **and passes by a voice vote of 9 to 0.**

H. **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, 8 tenths of a mile east of the intersection of Chesterfield Parkway North.

Director Jerry Kelley noted that, unless the Commission has other pertinent issues that are not spelled out in the Staff issues memo, the Department requests the Commission to accept this memo into the record as the part of the analysis that Staff will include in its report. He further noted that Staff has had conversations with the applicant and development team regarding Staff's concerns about additional landscaping and the distance between Conway Road and the proposed parking deck (set back 120 feet from Conway Road), and Staff wants to give further consideration, in terms of getting more feedback from the State Highway Department, to the impact of peak hour office traffic on the North Outer Road.

Commissioner McCarthy made a motion to hold P.Z. 6-97.

Chairman Casey noted the Staff memo needs to be changed to read "The Department of Planning recommends this matter be **held** until the meeting of April 14, 1997."

The motion was seconded by Commissioner Bly.

COMMENTS/DISCUSSION BY COMMISSION

- The traffic pattern (i.e., connection and access) of the proposed development was discussed.

The motion passes by a voice vote of 9 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. **P.Z. 28 & 29-96 Hardesty Homes (Picardy)**; Site Development Plan, Landscape Plan and Architectural Elevations in the "R-3" 10,000 square foot Residence District; northeast corner of the intersection of Clarkson Road and Kehrs Mill Road.

B. **P.Z. 28 & 29-96 Hardesty Homes (Picardy)**; Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District Future Use of Site Sign/Promotional Use Sign; northeast corner of the intersection of Clarkson Road and Kehrs Mill Road.

Commissioner Yaffe, on behalf of the Site Plan Committee, made a motion to approve the Site Plan for P.Z. 28 & 29-96 Hardesty Homes, as well as the amended Landscape Plan and their request for the Future Use of Site Sign/Subdivision Promotional Sign. The motion was seconded by Commissioner Grant **and passes by a voice vote of 8 to 0, with 1 abstention by Commissioner McCarthy.**

C. **Maurice Hirsch**; "NU" Non-Urban District Site Plan and Architectural Elevations; north side of Wild Horse Creek Road, west of Tuma Lane.

Commissioner Yaffe, on behalf of the Site Plan Committee, made a motion to approve the Site Plan and Architectural Elevations for Maurice Hirsch. The motion was seconded by Commissioner Grant **and passes by a voice vote of 9 to 0.**

IX. COMMITTEE REPORTS:

A. Ordinance Review Committee

Commissioner McCarthy asked about a report from Staff regarding the Doubletree.

Director Jerry Kelley stated that Staff notified the petitioner of the intent behind the motion of the Ordinance Committee to the full Planning Commission. The Doubletree has not, at this point, decided if they want to pursue the amendment on to Council, or go ahead and live by the request of the Commission to give them until October 31, 1997, to continue under their Temporary Occupancy.

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

C. **Site Plan/Landscape Committee** - No report.

D. Comprehensive Plan Committee

Committee Chair Grant reported the following:

- The Committee met on March 14th, and considered the balance of the issues that had been proposed by Staff. The Committee is awaiting a report from Staff, with recommendations, on those issues, and then the Committee will make a report to the Commission.

Director Kelley noted the Committee, essentially, got through eighty percent (80%) of the contents of the memo that we started out with three (3) weeks ago, in terms of two (2) successive Saturday's, and it is the intent of Staff to present a summary of those issues and the decision/recommendation coming out of Committee back to the full Commission. At that time, the Department will schedule a public hearing. The report will be presented to the Commission at its April 28, 1997 meeting.

Chairman Casey thanked Director Kelley and Commissioner Grant for an outstanding job on the Comprehensive Plan Committee, and all the members of that Committee who gave up two (2) Saturday mornings.

E. **Procedures and Planning Committee**

Commissioner Bly reported as follows:

- The Committee met on March 14, 1997, and bring forward a recommendation to change the issues meeting to be a requested item by either Staff or the Commission, depending upon the unique circumstances of a rezoning petition.

Chairman Casey instructed Director Kelley to submit this to the Commission in their packets for review by the full Commission.

Commissioner Broemmer suggested that the Procedures Committee look into the issue of Traffic Studies.

Commissioner Grant made a motion to refer traffic study requests to the Procedures and Planning Committee to determine some guidelines as to when traffic studies are appropriate, and, if they are appropriate, how/who should review traffic studies (i.e., City, St. Louis County, or Missouri Department of Transportation), and ask the City Council to ~~corridor~~ funding for either additional staff or contracting for transportation services. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 9 to 0.**

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

The meeting adjourned at 8:37 p.m.

Robert Grant, Secretary

[MAIN-24.097]