

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JANUARY 9, 1995



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

PRESENT

Mr. Rick Bly
Mr. Fred Broemmer
Mr. Michael Casey
Ms. Mary Domahidy
Mr. Bill Kirchoff
Ms. Linda McCarthy
Ms. Patricia O'Brien
Chairman Barbara McGuinness
Mayor Jack Leonard
Councilmember Ed Levinson - Council Liaison - arrived later
Mr. Douglas R. Beach, City Attorney
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Mr. Joe Hanke, Planner II
Ms. Toni Hunt, Planner I
Ms. Sandra Lohman, Executive Secretary

ABSENT

Mr. Dave Dalton

INVOCATION - Commissioner Pat O'Brien

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - Commissioner Rick Bly read the "Opening Comments"

- A. **P.Z. 1-95 Pierce Hardy Real Estate Company (84 Lumber)**; a request for change in zoning from "NU" Non-Urban District to "C-8" Planned Commercial District for a 7.4 acre tract of land located on the north side of Chesterfield Airport Road, approximately 1,000 feet east of Long Road (a portion of Locator Number 17U51-0062). Proposed Uses: Retail lumber/home center with outdoor display areas, outdoor storage areas, and storage sheds.

Senior Planner Laura Griggs-McElhanon gave a slide presentation of the subject site and surrounding area.

Mr. John P. King spoke on behalf of the petitioner (assisted by Mr. Ed Sadler), noting the following:

- Site doesn't front onto Chesterfield Airport Road.
- The petitioner owns tract of land to provide access to Chesterfield Airport Road.
- Proposed uses: retail lumber sales and a home center; outdoor displays; and storage area with storage buildings.
- A thirty-nine (39) foot high sign, approximately seventy-nine (79) square feet in size, is requested. They will comply with City regulations.
- Main building is 13,300 square feet in size (7,000 square feet for retail area, 6,300 square feet for storage).
- Two (2) of the three (3) buildings proposed are located on the eastern boundary line, and are 8,000 square feet in size. The building to the north of the main building is 4,000 square feet in size.
- There is a total area of 26,300 square feet for storage area.
- Outside display area is proposed south of the main building, which would display playground equipment and small storage facilities.
- The wetlands area in the northwest corner of the site will not be touched.
- The remaining area will remain as greenspace for buffering from Highway 40.
- Hours of operation are Monday through Friday - 7:00 a.m. to 8:00 p.m.; Saturday from 8:00 a.m. to 5:00 p.m.; and Sunday from 9:00 a.m. to 5:00 p.m.

COMMENTS/DISCUSSION

- Proposed sign would face the Airport Road, not Highway 40.
- The majority of their buildings throughout the United States are metal; however, they will have to provide something different in Chesterfield.

Mr. King noted the petitioner is here tonight seeking input from the Commission with regard to what type of building is desired.

Chairman McGuinness stated the people of Chesterfield do not want a metal building.

Mr. Ed Sadler noted the building would consist of split face block, with piers and columns on all sides of the structure.

Mr. King handed a photo of an existing building to the Commission.

Commissioner Domahidy inquired about the signage.

Mr. King noted no signage is oriented towards Highway 40.

Chairman McGuinness asked about a building sign (attached wall sign).

Mr. King noted the petitioner would comply with the City's ordinances regarding signs.

Commissioner Casey inquired regarding the pavement.

Mr. Sadler noted they would use gravel based blacktop.

Commissioner Domahidy noted landscaping is a particular concern.

Commissioner O'Brien inquired whether additional signage would be desired if another structure were built which would block the view of the subject development from Chesterfield Airport Road.

Mr. King noted the petitioner could work out a cross-access agreement with any potential future developer of the land adjacent to the proposed site.

Chairman McGuinness inquired why the petitioner didn't acquire the entire area.

Mr. Sadler noted that parcel was not available for sale.

City Attorney Doug Beach noted the petitioner is more destination oriented, they are not looking for drive-by customers; therefore, they are not as concerned about the visibility from Highway 40 and/or Chesterfield Airport Road.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS NEUTRAL - None

REBUTTAL - Waived

Commissioner Bly read the next portion of the "Opening Comments"

SHOW OF HANDS

In Favor: 55 In Opposition: 0 Neutral 0

Commissioner Bly read the remainder of the "Opening Comments."

APPROVAL OF THE MINUTES

Commissioner O'Brien made a motion to approve the minutes from the meeting of December 12, 1994. The motion was seconded by Commissioner Broemmer **and approved by a voice vote of 8 to 0.**

PUBLIC COMMENTS

SPEAKERS IN FAVOR OF P.Z. 25-94 JEWISH COMMUNITY CENTERS ASSOCIATION (MULTIPURPOSE BUILDING).

1. Archie Karel, 16815 Crystal Springs Drive, Chesterfield, MO 63005.
 - Residents along Baxter Road should realize it will be a high traffic area.
 - Not convenient for him to go to the JCCA at Page and Schuetz Road, so he belongs to Vic Tanny.
 - He would like the area to remain open space; however, given a choice between the JCCA or an apartment complex, he prefers the JCCA.
 - The JCCA would provide a wonderful enhancement of the property value for property along Wild Horse Creek Road.
 - Choosing the JCCA over an apartment complex would alleviate the overcrowding of schools.
 - The JCCA would provide wonderful opportunities for the elderly and youth (i.e., baseball fields, swimming pools, educational opportunities).
2. Marvin Chait, 14414 Greencastle Drive, Chesterfield, MO 63017.
 - The JCCA provides a balance - social, physical and mental workout in an atmosphere that is warm and friendly.

- The JCCA is a non-profit agency that teaches values of truth, charity and being a good neighbor.
3. Jerry Siegel, 57 Willow Brook Drive, St. Louis, MO 63146.
- Lives near the JCCA East.
 - The JCCA helped his two (2) sons develop high standards/morales.
 - His granddaughter is in the JCCA's Day Care Program.
 - The value of his home, two (2) years ago, appreciated in value 130%.
 - Neither noise, lights, trash removal nor traffic have been an obstacle to living in close proximity to the JCCA.
4. Lois Altman, 14414 Greencastle Drive, Chesterfield, MO 63017.
- The JCCA is a human services facility, non-sectarian, serving all walks of life.
 - Persons utilizing the facility from areas such as Ellisville, Ballwin, etc., will spend tax dollars shopping/dining in Chesterfield.
5. Al Finkelstein, 15455 Highcroft Drive, Chesterfield, MO 63017.
- The JCCA provides safe, after school activities for dual income families.
 - The neighborhood needs the JCCA.

Chairman McGuinness noted the arrival of Council Liaison Ed Levinson.

6. David Mittleman, 1836 Shadywood Court, Chesterfield, MO 63017.
- The value of the land near the JCCA in Providence, Rhode Island, where he grew up, remained high, and traffic was never an issue.
 - He moved to Chesterfield from southern California to afford his children a better place in which to grow-up.
7. Ed Spielberg, 1811 Autumn Glen Court, Chesterfield, MO 63017.
- The JCCA will offer many community benefits.

8. Shirley Pearl, 1355 Willow Brook Drive, St. Louis, MO 63146.
 - Has lived behind the JCCA for twenty-six (26) years, and has never had problems with safety, traffic, littering in her yard, noise, etc.
 - The JCCA has been a very sensitive and caring neighbor.
9. Mark Zvibleman, 14024 Cross Trails, Chesterfield, MO 63017.
 - There is currently a lack of safe, structured activities, including sports, in Chesterfield for his children.
 - The JCCA would be a place where there would be strong professionals who would provide wonderful and growth oriented activities for his children.
10. Marty Oberman, President of the JCCA, 11966 Sackston Ridge, St. Louis, MO 63141.
 - The article in the Post Dispatch states Marquette High School will be over-capacitated next year.
 - The proposed JCCA would not adversely impact the schools like an apartment complex or townhouse complex.
 - The Creve Coeur Fire Protection District will send a letter attesting to their good citizenship quality at the existing Center, and the fact that traffic, security and parking have not presented a problem to them.
 - The JCCA works closely with the police, and there have never been any problems.
 - He compared the Millstone JCCA site to the proposed site.

SPEAKERS IN OPPOSITION TO P.Z. 25-94 JEWISH COMMUNITY CENTERS ASSOCIATION (MULTIPURPOSE BUILDING).

1. Randy Kellis, 16656 Chesterfield Manor Drive, Chesterfield, MO 63005.
 - Handed out a map to the Commission.
 - A survey of the residents of Chesterfield Farms Estates (359 units) indicated their major concern is traffic (i.e., one (1) way in and one (1) way out) creating a bottleneck.

- Concern regarding additional commercial development approved in immediate vicinity also adding to the traffic problems.
 - Traffic studies are still pending.
 - There is a unique situation - put the JCCA at another location in the City.
2. Debbie Kjellberg, 316 Cheval Square Drive, Chesterfield, MO 63005.
- Chesterfield Police Traffic reports indicate accidents, with injuries, have increased over the past two (2) years.
 - Proposed development would require a long period of construction traffic which presents a safety hazard (i.e., vehicles come and go at all hours of day and night, and, when parked, block vehicular and emergency traffic).
3. Carol LeBegue, 16743 Chesterfield Manor, Chesterfield, MO 63005.
- Quoted the Wall Street Journal regarding tax exempt (nonprofit) developments being a big drain on community resources, taking away tax dollars from communities. (She gave a copy of the article to the Commission.)
 - The proposed JCCA will have tax exempt status, but will receive all City services.
 - The proposed JCCA, with its numerous facilities and programs such as day care and gym fitness centers appears to be a commercial type business with tax exempt status.
 - The proposed JCCA would be a tax burden on residents of the City, and hinder the educational needs of our children.
 - It would represent duplicate services to the City.
4. Christian Timpras, 16614 Chesterfield Farms Drive, Chesterfield, MO 63005.
- Ninety (90) residents of Chesterfield Farms Subdivision are here in opposition to the JCCA and P.Z. 18 & 19-94 (handed a petition to the Commission).
 - The JCCA would decrease the value of their homes, a sixty-six (66) million dollar investment.
 - At a five percent (5%) deterioration, the proposed JCCA will cost homeowners 3.5 million dollars.

- Planning Commission has a moral obligation to develop, maintain, and protect the quality of life, safety and investment interests of the citizens of Chesterfield by making responsible uses of our resources.
- There are other locations in Chesterfield more suitable for the proposed JCCA (i.e., behind Schnucks).
- The current zoning is more compatible with the quiet, residential nature of this neighborhood.
- Approving this complex would set a precedent for future nursing homes and strip malls along Baxter and Wild Horse Creek Road.
- Noted comments in the Planning Department's report to the Commission relative to Comprehensive Plan Policies: 1.1.1 Conservation of Existing Quality of life; 1.2.2. Quality of New Development.

Chairman McGuinness noted he was running over the allowable time for speaking and instructed Mr. Timpras to close his presentation.

- The Department's report noted concern regarding preservation of natural features and open spaces.
- If the City approves this request it should close up shop and hand control back to St. Louis County, because it would represent a rubber stamp shop for special interests and developers. If the Commission votes against the petition, then all will know the City is working like it is supposed to.

City Attorney Doug Beach noted that property tax money goes to the School District, not the City.

5. Bob Buzzetta, 16602 Chesterfield Farms Drive, Chesterfield, MO 63005.

- The JCCA is not what it projects itself to be, when without hesitation they are willing to eliminate some of the community activities (i.e., ball fields) to accommodate required parking for Phase II.
- They want whatever it takes to get the Conditional Use Permit and are not concerned with the good of residents.
- Residents have received false marketing propaganda from Mr. Oberman, who claims the desire to build a facility which will enhance the quality of life, and their good neighbor policy.

- The JCCA wants to put in 100+ more parking spaces in place of the previously promised ball fields.
 - The Commission should make a decision based on the welfare of the City's tax payers.
 - If Mr. Louis Sachs is interested in quality education he should give some land to the Rockwood School District.
6. John Purcelli, 16751 Deveronne Circle, Chesterfield, MO 63017.
- When residents bought their homes in Chesterfield Farms they voted for what they want on the land (residential), there was no mention of a JCCA, commercial, etc.
 - Residents enact by-laws to protect their rights, and the City should protect its residents by voting against the proposed JCCA.
 - There appears to be an open-ended nature of what the JCCA proposes to do at the site (i.e., a parking garage).
 - The people affected by this development wish to control their destiny, that is why they are here tonight to oppose this development.
 - He suggested that Commissioners ask themselves whether they would like a JCCA at the entrance of their subdivision.
7. Lori Potthast, 267 Cheval Square, Chesterfield, MO 63005.
- Quoted the Planning Commission Report, page 4, regarding Comprehensive Plan Policies: 1.1.1. additional traffic will adversely affect the current quality of life by increasing travel time and the possibility of accidents (Chesterfield Farms, Chesterfield Estates, The Bluffs at Wildhorse, Somerset, Kelly Residential, and Bentley Place); 1.1.2. to insert a commercial development such as the J.C.C.A. between Chesterfield Farms and Ascension Church does not represent adequate buffering between residential and commercial development; 1.2.1. there are petitions for commercial property across from the proposed JCCA site, as well as this property (three (3) corners of commercial development outside Chesterfield Farms Subdivision; 1.3.1. how can an 129,000 square foot building, surrounded by 511 asphalt parking spaces and a concrete swimming pool preserve natural features and open spaces.
 - The Commission should not issue a Conditional Use Permit for this piece of property, as the JCCA needs to be located along the Parkway.

- She presented a photo of the Millstone JCCA trash pick-up area, taken on a Sunday afternoon, to the Commission.
 - Don Jones, of The Jones Company, told her the letter submitted at the last meeting by Howard Chilcutt of the Jones Company was signed before The Jones Company knew the JCCA was proposed to go at this location, and was simply in support for a JCCA in the community, not tied to this location.
8. Nancy Litzau, 320 Cheval Square Drive, Chesterfield, MO 63005.
- Former member of the JCCA in Kansas City.
 - Read a letter from a friend, who was also a member of the JCCA in Kansas City, stating that, as membership moved away, the buildings were abandoned and a new JCCA was built at another location. The abandoned buildings became dilapidated and a hazard for area residents.
 - The Commission should consider what might happen twenty (20) years from now when the population shifts, and the JCCA is no longer needed.
9. Melanie Raffel, Budget Analyst for the U.S. Army Aviation Systems Command in St. Louis City, 16743 Deveronne Circle, Chesterfield, MO 63005.
- Her family surveyed all areas and decided on Chesterfield, in part, because they believed it had planned growth, where development separates residential areas from commercial areas.
 - Concern about bright lights of JCCA, traffic and noise from day care at 5:45 a.m., and activities after 10:00 p.m., within twenty-five (25) feet of homes.
10. Valerie Schmidt, 248 DeJournet Drive, Chesterfield, MO 63005.
- The JCCA, as a Conditional Use Permit, is not proper usage of this land.
 - Cathy Higgins told her that apartments would never be placed on the subject property because the land is too expensive for a developer to profit from rental property. Therefore, the threats regarding either the JCCA or apartments, are inappropriate.
 - Condos on the subject tract would not add a strain on our schools.
 - Additional commercial facilities are planned and approved for Wild Horse Creek Road and Baxter Road (strip mall and restaurant), we don't need another commercial development.

- The JCCA should be built on the site behind Schnucks, along the Parkway.
11. Craig Ummel, 279 Cheval Square Drive, Chesterfield, MO 63005.
- Thanked Commission and Planning Department for willingness to answer questions, noting they have done an outstanding job.
 - He quoted specifics from the Department's report, and indicated he has not seen the revised report handed out tonight.

Chairman McGuinness directed staff to provide him with a copy.

- The Department's report noted additional parking would be required for Phase II, and the JCCA's revised plan noted deletion of the ball fields (a place the JCCA previously stated would be a great place for kids to be).
- He noted Mr. Schreiber sent a harsh letter to Jerry Duepner stating he didn't give them what they want, we are not happy with you - so we're going to come back and give you something else.
- Compared subject JCCA facility to the previously proposed facility along Chesterfield Parkway, noting the advantages of the other facility - direct access from the Parkway via a traffic signal, and a single phase development.
- Asked the Commission to vote against the JCCA at the proposed location.

SPEAKERS IN OPPOSITION TO P.Z. 18 & 19-94 Chesterfield Village, Inc., Louis S. Sachs and Nancy R. Sachs (Wildhorse Hills).

1. Dr. Mark C. Kory, 1456 Haarman Oak Drive, Chesterfield, MO 63005.
 - Moved to area due to the school district and low density housing along Wild Horse Creek Road.
 - Concerned about overcrowding of Chesterfield Elementary School.
 - Recent article in Chesterfield Journal stated school will be expanded.
 - Controlled growth is needed along Wild Horse Creek Road to preserve our schools.
2. Rachel Nolen, 1739 Baxter Forest Valley Court, Chesterfield, MO 63005.

- Has faith in Lane Kendig's recommendations regarding community character.
 - Need to slow down the growth by setting ground rules now, complete West Area Study, and maintain quality of life.
3. Dr. Theodosios Korakianitis, 27 Chesterfield Lakes, Chesterfield, MO 63005.
- Represents Citizens for Responsible Growth.
 - He presented three (3) separate maps illustrating different density concepts for the subject location.
 - Concern about spot zoning.
 - Concern that children would have to be bused to Eureka; would not have sufficient library time, sufficient gym use, etc.
 - The City will be asking for more taxes through bonds to pay for new schools, and we know what more taxes do to politicians.

SPEAKER IN FAVOR OF P.Z. 18 & 19-94 Chesterfield Village, Inc., Louis S. Sachs and Nancy R. Sachs (Wildhorse Hills).

1. Al Michenfelder, 231 S. Bemiston, Clayton, MO 63105.
- The Wildhorse Hills matter was voted upon on October 10, 1994, and a recommendation forwarded to Council by a vote of 6 to 2; therefore, that issue is no longer before the Planning Commission.
 - The issue before the Commission tonight is to break the recommendation into two (2) portions to enable the City Council to vote on it in the form of two (2) bills. In light of that fact, he doesn't believe there is any further point in taking additional time this evening and reiterating what was said in the past in response to what Theo and friends have stated.
 - He will speak no more on the issue, and the people who signed up with him on behalf of Wildhorse will also waive any comments this evening.

Chairman McGuinness read the names of those who had signed up, but wished to waive their chance to speak: Al Vitt, Kathy Higgins, Merl Wilson, Ellen Painter, Joel Kamil, and John Langa.

SPEAKER IN FAVOR OF P.Z. 25-94 JEWISH COMMUNITY CENTERS ASSOCIATION (Multipurpose Building).

1. Phillip Schreiber, 400 Chesterfield Center, Chesterfield, MO 63017.
 - Although plans include an initial building of approximately 65,000 to 85,000 gross square feet, the total project, when completed, would be 129,000 gross square feet as shown on their original submittal.
 - The project must be phased due to availability of funding.
 - Phasing is necessary because, as a non-profit organization, the JCCA cannot commit to a project until the funds are in-hand.
 - After reviewing the Department of Planning's initial comments regarding the proposed development, they submitted supplemental plans and specs indicating complete compliance with the Department's recommendations, including parking, setbacks and building heights, to meet requirements of 129,000 gross square foot development.
 - The JCCA is cognizant of the concern of the Department over remaining greenspace, and are willing to address this issue as the Department sees fit.
 - They do not agree with the Department's concern about traffic, as the traffic study determined the operation would be more than adequate upon completion of the JCCA.
 - He noted comments earlier regarding the facility in Creve Coeur.
 - Requested favorable consideration so the JCCA may begin building.

OLD BUSINESS

- A. **P.Z. 18 & 19-94 Chesterfield Village, Inc., Louis S. Sachs and Nancy R. Sachs (Wildhorse Hills)**; "NU" Non-Urban District to "R-3" 10,000 square foot Residence District and a Planned Environment Unit (PEU) Procedure; south side of Wild Horse Creek Road, west of the intersection of Wild Horse Creek Road and Baxter Extension Road.

Senior Planner Laura Griggs-McElhanon noted the matter before the Commission is a request from City Council for clarification on the prior recommendation on P.Z. 18 & 19-94. She summarized the Planning Commission's original recommendation and the Council's request that the Commission vote on two (2) petitions separately (with the rezoning in conjunction with the Planned Environment Unit (PEU) Procedure).

A motion to approve P.Z. 18-94 (the rezoning request) in conjunction with P.Z. 19-94, as recommended by the Department, was made by Commissioner McCarthy. The motion was seconded by Commissioner Casey.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, no; Commissioner Casey, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner McCarthy, yes; Commissioner O'Brien, yes; Chairman McGuinness, yes.

The motion passes by a vote of 7 to 1.

A motion to approve P.Z. 19-94 in conjunction with P.Z. 18-94, as recommended by the Department, was made by Commissioner O'Brien, and seconded by Commissioner McCarthy.

COMMENTS/DISCUSSION

- It was noted the motions are made in conjunction with each other.

Senior Planner Griggs-McElhanon noted the Commission is clarifying previous action taken on this matter, as amended, which was acknowledged by the Commission.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, no; Commissioner Casey, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner McCarthy, yes; Commissioner O'Brien, yes; Chairman McGuinness, yes.

The motion passes by a vote of 7 to 1.

NEW BUSINESS

- A. **P.Z. 22-94 City of Chesterfield Planning Commission**; a proposal to amend the Zoning Ordinance of the City of Chesterfield relative to Home Day Care.

A motion to hold this matter was made by Commissioner Domahidy. The motion was seconded by Commissioner Casey and **passes by a voice vote of 8 to 0.**

- B. **P.Z. 25-94 Jewish Community Centers Association (Multipurpose Building)**; a Conditional Use Permit (C.U.P.) in the "R-2" 15,000 square foot Residence District and amendment of City of Chesterfield Ordinance Number 752; northeast corner of the intersection of Wild Horse Creek Road and Baxter Road Extension.

Director Jerry Duepner presented the request and the Department's recommendation of approval of Phase I, subject to conditions in Attachment A, as amended tonight. The Department is awaiting more information from the petitioner relative to Phase II.

COMMENTS/DISCUSSION

- Parking requirements need to be determined, based on analysis of the proposed uses.
- The 129,000 square foot request might possibly be accommodated based on a parking study, or the utilization of structured parking.
- A monument sign is proposed at the intersection of Wild Horse Creek Road and Baxter Road Extension.
- Institutional uses, under our current sign regulations, allow wall signage limited in terms of outline area.
- Our Zoning Ordinance allows for plaques (cornerstone plaques) on buildings.

In order to get the matter up for vote, Commissioner Broemmer made a motion for approval of the Department's recommendation. The motion was seconded by Commissioner Domahidy, noting her second was made just to move it along for discussion.

COMMENTS/DISCUSSION

- All comments from those in favor and in opposition are appreciated.
- There was concern regarding the appropriateness of treating this particular parcel as a Conditional Use Permit independent of the total PEU of which it was originally a part.
- Conversation has not included what this particular action proposed means for the original intent of the entire unit.
- What we do with this has implications beyond this particular site (i.e., how we deal with Conditional Use Permits and PEU's).

Director Duepner noted:

- this issue was addressed in the report and what has been requested is that this site be deleted from the Planned Environment Unit regulations, the existing zoning ("R-2") would remain in place, and the Conditional Use Permit would be, as sought, to allow the Community Center. The total number of units for development in Chesterfield Farms would be reduced accordingly, based on the deletion of this site and the use approved for this site via the ordinance.

Director Duepner summarized the report in greater detail, relative to compatibility of use, consistency, good planning practices - non-detrimental to adjoining uses.

- There was concern about approving something as a total package and then subtracting things - what happens to the original integrity of the plan.
- More time is needed to review the revised plan submitted by the JCCA - it would be wise to hold action pending receipt of more information.
- Concern that the Conditional Use Permit would not be in concert with the proposed plan for the residential area on the site.
- The petitioner may need more time to work out plans so they meet their needs, as well as those of the City.
- There was discussion regarding the buffer from the Baxter Road Extension between the residential and proposed JCCA.
- More information is needed for Phase II (i.e., parking study and/or use of parking structure for cultural center).
- The revised plan for Phase II meets the required conditions relative to setbacks, parking requirements, landscaped areas, but there is concern regarding loss of green space on the site.
- The Commission could approve use of the property with the Conditional Use Permit, and have a contingency that it be re-submitted with a varying site plan for Commission approval.
- If Commission approved the 129,000 square foot request, there would need to be additional conditions included relative to the swimming pool, potential for reduction of parking.
- The petitioner arrived at the 129,000 square feet based on their projected needs for this site.
- Baxter Road Extension is expected to be completed in three (3) years, and possibly be five (5) lanes from Wild Horse Creek Road to the Valley.
- Part of the Chesterfield Valley Master Development Plan proposes additional on and off ramps from Highway 40, on the east end of the Valley; upgraded interchange at the midpoint of the Valley, near Long Road; and possibly another interchange of ramps in the Western end of the Valley. If there would be additional ramps at the eastern end of the Valley, the Baxter Extension has the potential to alleviate traffic on Wild Horse Creek Road.

Commissioner Kirchoff made a motion to table until the Department has additional time to react to more recent developments, and bring it back to the Commission for consideration. The motion was seconded by Commissioner Bly.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, no; Commissioner Casey, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner McCarthy, yes; Commissioner O'Brien, yes; Chairman McGuinness, yes.

The motion passes by a vote of 7 to 1.

C. **P.C. 192-87 Long Road Partnership (Dugsford Commons)**; request for extension of time for filing of "C-8" Planned Commercial District Site Development Plan; northeast corner of Long Road and Wild Horse Creek Road.

Toni Hunt, Planner I, summarized the request and the Department's recommendation of approval for a two (2) year extension of time until December 19, 1996, for submittal of a site development concept plan.

A motion to approve the two (2) year extension was made by Commissioner McCarthy and seconded by Commissioner Casey.

COMMENTS/DISCUSSION

- There is currently no limit on the number of extensions granted.

City Attorney Doug Beach suggested extension request presentations could be shortened.

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

Chairman McGuinness instructed the Department to condense future reports on extensions of time.

D. Correspondence from the City Attorney relative to future protest petitions (Section 1003.193 Appeal and Protest Procedure for Special Procedures of the Zoning Ordinance of the City of Chesterfield.)

Director Duepner summarized the correspondence, noting the Department is asking the Commission to direct the Staff to prepare for public hearing, an amendment to the Zoning Ordinance that would bring the protest procedure for Special Procedures in line with the State Requirements relative to the protest procedure for rezoning.

A motion to approve the Department's request was made by Commissioner Domahidy. The motion was seconded by Commissioner Casey and **passes by a voice vote of 8 to 0**.

Commissioner Bly left the meeting at this time.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **Adjusted Lot A of B.A.P. P.B. 205, Pg. 84 (Frichtel property)**; Large lot Subdivision Record Plat in the "R-1" One Acre Residence District; west side of Wilson Road, north of Falling Leaves Drive.

Commissioner Broemmer, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner O'Brien and **passes by a voice vote of 7 to 0**.

- B. **Chesterfield Mall**; A Re-subdivision Plat of Lot C101F of Parcel C101F of "Chesterfield Village Area A - Phase One - Plat One"; southwest quadrant of I-64/U.S. Highway 40/61 intersection with Clarkson Road.

Commissioner Broemmer, on behalf of the Site Plan Committee, made a motion to approve the request. The motion was seconded by Commissioner O'Brien and **passes by a voice vote of 6 to 0, with 1 abstention by Chairman McGuinness**.

Commissioner Broemmer stated that, in tabling the JCCA, he believes the Commission lost sight of what was to be voted upon tonight (i.e., the changing of zoning from residential property to a Conditional Use Permit). It was not to determine what would happen in Phase I or Phase II.

Chairman McGuinness noted it is important to look at the entire corporate entity, and the Commission cannot discuss this because it is tabled.

City Attorney Doug Beach noted the Commission has directed the JCCA to have a parking study done so all information will be made available for a decision. The motion to remove from the table and bring back to the Commission is the motion for approval of the 80,000 square foot recommendation of the Department.

Commissioner Bly returned to the meeting at this time.

COMMITTEE REPORTS

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

C. Site Plan/Landscape Committee

Committee Chair Kirchoff noted the Institutional Landscape Guidelines are awaiting scheduling for the Planning and Zoning Committee's review.

Senior Planner Laura Griggs-McElhanon noted the Department hopes to include this on the P & Z Committee agenda in the near future.

D. Comprehensive Plan Committee

Co-Chair Domahidy noted the West Area Study Committee will meet on February 1, 1995.

Senior Planner Griggs-McElhanon polled the Committee for the February 1, 1995 meeting, at 5:00 p.m.

Senior Planner Griggs-McElhanon noted the Department will call the remaining members and send a notice in the mail with results. She further noted this meeting is in anticipation of the Sub-Committee wrapping-up their task on Thursday evening at 4:30 p.m.

E. Procedures and Planning Committee - No report.

Director Duepner noted the Zoning and Subdivision Ordinance Steering Committee will meet Thursday, January 12th, at 7:30 p.m. He further noted there are issues to be addressed (i.e., the potential impact and recommendations Mr. Kendig has made to date, as pertains to recommended residential district - open space, resource protection, lot sizes and setbacks).

Commissioner McCarthy noted she will be unable to attend this meeting.

Chairman McGuinness requested a copy of the "City of Chesterfield Citizen Survey" be provided to all Commissioners.

The meeting adjourned at 9:55 p.m.


Patricia O'Brien, Secretary

[MINI-9.095]