

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
FEBRUARY 28, 1994



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

PRESENT

Ms. Mary Brown
Ms. Mary Domahidy
Mr. Bill Kirchoff
Mr. Walter Scruggs
Ms. Victoria Sherman
Chairman Barbara McGuinness
Mr. Douglas R. Beach, City Attorney
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Mr. Joe Hanke, Planner II
Ms. Sandra Lohman, Executive Secretary

ABSENT

Mr. Fred Broemmer
Mr. Dave Dalton
Ms. Patricia O'Brien

INVOCATION - Commissioner Brown

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - None

APPROVAL OF THE MINUTES

Commissioner Domahidy made a motion to approve the minutes from the meeting of February 14, 1994. The motion was seconded by Commissioner Brown and **passed** by a voice vote of 6 to 0.

PUBLIC COMMENTS - None

OLD BUSINESS - None

NEW BUSINESS

- A. **P.Z. 18 & 19-93 Nooning Tree Partnership**; "NU" Non-Urban District to "R-3" 10,000 Square Foot Residence District and Planned Environment Unit (PEU) procedure in the "R-3" 10,000 Square Foot Residence District; south side of Olive Boulevard, east of the intersection of Appalachian Trail and Olive Boulevard.

The Commission directed this matter be held until further notice.

- B. **P.Z. 1 & 2-94 Taylor-Morley, Inc.**; "NU" Non-Urban District to "R-1A" 22,000 Square Foot Residence District and Planned Environment Unit (PEU) Procedure in the "R-1A" 22,000 Square Foot Residence District; Wild Horse Creek Road, west of Chesterfield Estates Drive.

Commissioner Domahidy made a motion to take this matter **off the table**. The motion was seconded by Commissioner Sherman and **passed by a voice vote of 6 to 0**.

Joe Hanke, Planner II, summarized the revised plan submitted by the petitioner, and the Department's revised report, as requested by the Commission. He noted that, due to discussions with MSD today relative to sanitary sewer connections, the Department recommends that Item 5.d. be revised to read: "A sanitary sewer connection to existing sewers may be required, as determined by MSD." He further noted the revised Attachment A still has the requirement for a stub street, and the remaining conditions are the same as previously recommended by the Department.

Chairman McGuinness noted the difference between the petitioner's request and the Department's recommendation is the stub street and permitted number of lots. Chairman McGuinness asked for a motion to approve this with the exception of the elimination of the stub street.

Commissioner Brown made a motion to approve the Department's recommendation. The motion was seconded by Commissioner Domahidy.

Commissioner Brown expressed her desire for clarification of the Department's recommendation and the petitioner's request; therefore, she withdrew her motion.

COMMENTS/DISCUSSION BY COMMISSION

- The petitioner previously requested twelve (12) lots, with a minimum lot size of 24,375 square feet.
- The Department's recommendation was eight (8) lots; however, per the request of the Commission, Attachment A has been revised to reflect the proposal, on the part of the petitioner, for twelve (12) lots.

Chairman McGuinness stated the Commission could offer a motion to approve the developer's plan, with the minimum lot size, with or without the stub street, including the Department's conditions in revised Attachment A for a twelve (12) lot subdivision.

Director Duepner noted that, if it is the desire of the Commission to act on this proposal in keeping with the conditions contained in the revised Attachment A, the appropriate motion would be for approval of "R-1" and "R-1A" with a PEU, subject to the conditions contained in the revised Attachment A. He further noted the Department's original recommendation was all "R-1" with a maximum of eight (8) lots. The revised Attachment was submitted due to the request by the Commission to accommodate twelve (12) lots being a combination of "R-1" and "R-1A," with a minimum lot size of 28,000 square feet.

- The design criteria of lots on the south of the proposed development were shifted, thereby maintaining the 28,000 square foot lots.

Chairman McGuinness asked Commissioner Brown if she wanted to make a motion for "R-1" and "R-1A," twelve (12) lots - 28,000 square foot minimum, without a stub street.

Commissioner Brown so moved, **without the stub street. The motion dies for lack of a second.**

Commissioner Domahidy made a motion for approval of "R-1" and "R-1A," twelve (12) lots - 28,000 square foot minimum, **with a stub street.** The motion was seconded by Commissioner Sherman.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Domahidy stated that the Commission, at its last meeting, expressed the need for alternative access.

Chairman McGuinness stated she believes the stub provides too much concrete.

Director Duepner noted he did not believe the petitioner could attain twelve (12) lots with the 28,000 square foot lot size minimum and a stub street.

City Attorney Doug Beach suggested the motion should be for a **maximum of twelve (12) lots.**

Director Duepner replied the condition, as recommended, is to authorize a development of a **maximum of twelve (12) lots.**

Commissioner Scruggs noted there is a street the property to the east could line up with, if they make a curb cut on the north side of Wild Horse Creek Road.

Commissioner Sherman suggested an easement could be provided in lieu of concrete.

Director Duepner noted the Department recommends that, if the Commission is going to require the street, it should go in now.

- The area to the east is comprised of approximately eight (8) acres. The possibility of an entrance cannot be determined at this time.
- The Sea Beauty Farm Subdivision was discussed.
- The need for a paved road was questioned.

Director Duepner noted the road would be installed to provide access to the land to the east, if to be developed.

Chairman McGuinness summarized the motion as follows: "R-1" and "R-1A," maximum of twelve (12) lots - 28,000 square foot minimum, with a stub street.

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

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **P.C. 108-84 Barken-Dubinsky PTN (Valley Center)**; Outdoor Display Area; south side of Chesterfield Airport Road at Valley Center Drive.

Commissioner Sherman, on behalf of the Site Plan Review Committee, made a motion to approve the Department's report, limiting the outdoor display to **only** children's play equipment. The motion was seconded by Commissioner Domahidy and **passed** by a voice vote of 6 to 0.

- B. **Somerset Plat Two**; Planned Environment Unit (PEU) in the "R-1A" 22,000 Square Foot Residence District and "R-2" 15,000 Square Foot Residence District Subdivision Record Plat; north side of Wild Horse Creek Road, east of Long Road.

Commissioner Sherman, on behalf of the Site Plan Review Committee, made a motion to approve the Department's report. The motion was seconded by Commissioner Brown and **passed** by a voice vote of 6 to 0.

COMMITTEE REPORTS

- A. **Ordinance Review Committee**

Chairman McGuinness noted there will be a meeting of the Committee of the Whole on March 7, 1994, at 5:30 p.m., to discuss the outstanding items to be referred to the consultant.

Committee Co-Chair Brown asked everyone to keep their list of items to be discussed.

- B. **Architectural Review Committee**

Director Duepner inquired whether the Committee believes there is a need for an additional meeting prior to the Architectural Guidelines being presented to the Planning Commission. He noted the issue still outstanding, as discussed at the Planning and Zoning Committee meeting, was that of architectural treatment of the rear elevations of residences.

After some discussion, it was determined there is not a desire for an additional meeting. Therefore, the Guidelines will be presented to the Commission at its next meeting on March 14, 1994.

Chairman McGuinness instructed Director Duepner to bring the Guidelines to the meeting on March 7th, to enable the members to review prior to the next Planning Commission Meeting.

C. Site Plan/Landscape Committee

Committee Chair Kirchoff reported the next Committee meeting will be March 15, 1994, at 4:30 p.m., unless there is a conflict.

D. Comprehensive Plan Committee

Committee Co-Chair Domahidy reported as follows:

The Committee had its first meeting of the West Area Study Group and reviewed the area to be studied, the makeup of the Committee, and the process to be utilized. The next step is a tour of the area on Sunday, March 6th, at 2:00 p.m.

Director Duepner reported the availability of a fifteen (15) passenger van. He noted that a notice was sent to all Committee members on Friday, February 25th. If a larger vehicle becomes available, the Department will advise so that additional individuals may participate in the tour.

Chairman McGuinness inquired relative to the HBA representative.

Director Duepner replied that he doesn't believe Mr. Sullivan will participate; however, the HBA will suggest Mr. Jim Brennan of Taylor-Morley, to serve on the Committee.

Chairman McGuinness expressed concern regarding conflict of interest issues, and instructed Director Duepner to say no to this suggestion.

Committee Co-Chair Domahidy concurred with Chairman McGuinness.

Director Duepner noted he will so advise.

Committee Co-Chair Domahidy reported regarding the West Area Study as follows:

- There will be a public meeting on April 6, 1994, at Chesterfield Elementary School (pending verification from school).
- Participants will be divided into small focus groups in order to elicit their input regarding issues and vision for development of the area. Each group will report back to the Committee.
- All of the property owners in the West Study Area will receive a notice of this public meeting.
- The time of the meeting will be 7:00 p.m.

E. **Procedures & Planning Committee** - No report.

Director Duepner reported on the **Zoning and Subdivision Regulations** as follows:

- The meeting with Mr. Lane Kendig set for Wednesday, February 23rd, was canceled.
- The Chair of the Planning and Zoning Committee (Councilmember Susan Clarke) requested this matter be placed back on the agenda, and questioned whether we need to meet with Mr. Kendig again.

Director Duepner noted he will report back to the Planning Commission after the meeting of the Planning and Zoning Committee.

Director Duepner reported the following:

- Mr. Jamie Cannon has requested that he and the Chairman of the Planning Commission sit on a panel in April. Also invited are the Director of Planning from St. Louis County and the Chairman of the County Planning Commission.
- The purpose of the panel is to determine the future of architects and how they relate to the community, etc.
- The panel will discuss how architecture relates to municipalities, county, political jurisdictions, etc.

- Mrs. Domahidy has been invited to serve as moderator of the panel.
- The meeting will be held at the Town and Country Fire House on Clayton Road, on April 7, 1994. It is anticipated there will be from forty (40) to sixty (60) architects in attendance.
- They have been meeting, and continue to meet, with other members of the overall metropolitan community.

Commissioner Domahidy noted she believes they are conducting a series of meetings. She further noted they are trying to obtain feedback on how those who interact with architects perceive the profession, how they could better meet the needs of the people with whom they work, and looking to the future of architecture.

Chairman McGuinness inquired about the Fire House proposal at River Valley and Olive, in terms of how the City can have input.

Director Duepner noted that, under our current Zoning Ordinance, a Fire Station is a Conditional Use Permit in that Residential Zoning District. This would require filing of a petition and a public hearing. Once that's approved, they would have to come back with a Site Plan and Architectural Elevations.

City Attorney Doug Beach noted the following:

- In the law, as it relates to who is the higher form of government, there is a five (5) prong test. One of the major portions of that test is whether or not the other politician entity has the power of Eminent Domain or Condemnation. If they do, it places them in a position where the City does not have any authority over them whatsoever. At the same time, it is not clear that the City does not have authority. There are several cases regarding fire districts and other governmental entities, and it is a real toss-up at this time.
- The issue is unclear as to whether or not the City could require them to come here in order to obtain our approval.

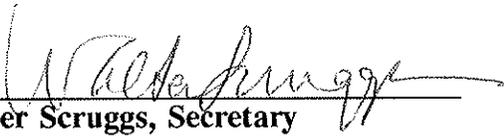
Chairman McGuinness noted it is a question of whether it is a lateral form of government or a form higher than that of the City.

City Attorney Doug Beach noted that, if it has a public interest and serves a public function (i.e., a firehouse), that's two (2) of the five (5) prongs, and the remaining three (3) are easier.

Chairman McGuinness requested the City Attorney push for a higher form of government.

Director Duepner was asked to communicate with the Fire District regarding possible participation by the City.

The meeting adjourned at 7:39 p.m.


Walter Scruggs, Secretary

[MIN2-28.094]