

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL**



June 22, 1998

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

PRESENT

Mr. Fred Broemmer
Mr. Charles Eifler
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Ms. Rachel Nolen
Mr. Jerry Right
Mr. Allen Yaffe
Chairman Robert Grant
Councilmember Mary Brown, Council Liaison
Mr. Douglas R. Beach, City Attorney
Ms. Teresa Price, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Reveena Shook, Planner II
Mr. Todd Streiler, Planner II
Ms. Anissa McCaskill, Planner I
Ms. Molly Butler Dunham, Planner I
Ms. Sandra Lohman, Executive Secretary

ABSENT

Ms. Victoria Sherman

INVOCATION: Commissioner Allen Yaffe

PLEDGE OF ALLEGIANCE - All

Chairman Grant welcomed newly appointed Planning Commissioners Stephanie Macaluso and Rachel Nolen. He recognized the attendance of Councilmember Mary Brown- Council Liaison (Ward IV), and Councilmember Mike Casey (Ward III).

Chairman Grant called Mr. Dave Dalton and Linda McCarthy up to the podium and, on behalf of the City of Chesterfield, thanked them for serving on the Planning Commission, and doing an outstanding job for the City. He presented them with plaques that read as follows: "In appreciation for outstanding dedication and service as planning commissioner for the City of Chesterfield - Linda McCarthy, 1994 - 1998." "In appreciation for outstanding dedication and service as planning commissioner for the City of Chesterfield - Dave K. Dalton, 1990 - 1998." Upon presentation of the plaques, Chairman Grant thanked and congratulated both Ms. McCarthy and Mr. Dalton.

PUBLIC HEARING:

- A. *P.Z. 22-98 G.H.H. Investments, L.L.C.; a request for a change in zoning for a 38.6 acre parcel of land located on Long Road into two (2) different zonings. Parcel A containing 18.34 acres to be rezoned from "M-3" Planned Industrial District to "PC" Planned Commercial District. Parcel B containing 20.23 acres to be rezoned from "M-3" Planned Industrial District to "PI" Planned Industrial District. (Locator Number 17U110299).*

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

Planner I Annissa McCaskill gave a slide presentation of the subject site and surrounding area.

Mr. Mike Doster, Attorney for the petitioner, noted the following:

- the presentation time will be shared with Dave Volz (Volz Engineering), Louis Chiodini (Chiodini & Associates), and one of the Principals, Mr. Brett Hardesty;
- the Principals of G.H.H. Investments are Mr. Gordon Gundaeker, Michael Hejna and Brett Hardesty;
- described the subject site and surrounding area;
- total acreage of the subject site is 38.6 acres;
- general dimensions (approximately): North = 676 feet; East = 1261 feet; South = 626 feet; West = 2825 feet;
- described uses in the area as depicted on a rendering presented to the Commission;
- summarized the memorandum given to the Commission from Bill Kirchoff, Chairman of the Valley Master Plan Committee;
- the request is in two (2) parts: a) the rear portion would be a "PC" Planned Commercial District; b) the front portion consisting of thirteen (13) lots, would be a "PI" Planned Industrial District;
- the "PC" Planned Commercial portion would be approximately 18.3 acres;
- the "PI" Planned Industrial portion would be approximately 20.2 acres;
- the total buildout on the Commercial portion, excluding three (3) outlots in the front, would be 125,000 square feet; the outlots comprise approximately 18,000 square feet;
- the total buildout on the eleven (11) Planned Industrial lots would be approximately 180,000 square feet;

- the petitioner is negotiating with the Levee District regarding a 3.88 acre portion at the rear of the property – the Levee District wants to acquire this land for purposes of providing the last major link to the pump station at Long Road;
- the extension of Edison Avenue through the subject site would have to be included in the process of building the proposed development; and
- the developer anticipates improvements will be required along Long Road and Chesterfield Airport Road.

SPEAKERS IN FAVOR:

Mr. David Volz, Volz Engineering, noted four (4) issues unique to the Valley as follows:

1. Sanitary Sewer Availability

- a) There is an existing twenty (20) inch force main that runs East and West through the Valley, and through the subject site. The engineer proposed to gravity portions to the South and North into an existing pump station. This has been discussed with MSD, and the petitioner will probably have to upgrade the pumps, but the force main is in place.

2. Drainage

- b) There is an existing ditch that runs along the West of the subject parcel, which was built along with Chesterfield Industrial Park. The petitioner will expand this onto their parcel. The Industrial portion of the proposed development will drain from the street towards the existing ditch and also from the street to the proposed ditch, which he identified on the rendering. The units will be set at an elevation of 462 feet, and has been approved by the City of Chesterfield Public Works Department.

3) Dirt Balance

- c) The petitioner will need to fill approximately two and one-half (2 ½) feet across the site (i.e., approximately 75,000 to 100,000 yards of material).

4) Access

- d) The developer will build the Edison Avenue Extension through their site. He pointed out on the rendering where the developer proposes a curb cut along Chesterfield Airport Road that would connect to Edison Avenue; the curb cuts for the proposed retail area; and the proposed parking for the proposed office and retail uses, noting they are trying to provide a circulation around the back for the office use, and around the front for the retail use.

Mr. Brett Hardesty, President of Hardesty Properties, noted the following:

1. There is an existing major drainage issue behind the retail strip center that the proposed development will alleviate.
2. The proposed excavation in the overflow area will generate approximately 50,000 yards of dirt, which will take care of a majority of fill on the site.
3. The proposed retail would be an upscale, boutique-type center, with neighborhood retail.
4. The petitioner is analyzing some alternatives regarding site plans, and will come forward with more creative ideas within the next two (2) weeks.

Mr. Lou Chiodini provided renderings to the Commission and noted the following:

- The petitioner is proposing a neighborhood or town center type of development, incorporating retail, service and offices.
- The offices would contain neighborhood uses such as medical, dental, real estate, attorney, etc.
- The development would be completed in at least two (2) phases, and would include a tower.
- Parking at the rear of the site would be primarily for employees and staff working in shops or office areas.
- He described the access points from both Long Road and Edison, as depicted on the rendering.
- There could be additional outlots; he pointed them out on the rendering.
- Most of the proposed retail shops would be a maximum of seventy (70) feet deep, to approximately sixty (60) or fifty-five (55) feet deep where they narrow.
- The drainage area would be landscaped behind the outlots.
- The style of architecture proposed for the retail development would be comprised of both traditional (i.e., like the residential area to the south) and a neighborhood, or town center.
- Materials would consist of brick, wood trim, and either a slate, or slate-like, roof.
- The rendering depicts a two (2) story office space above a shopping arcade, with individual expression of the various stores. The developer is trying to avoid the “typical” straight-line, strip center appearance.

Mr. Hardesty noted the developer is proposing an upscale, boutique-style center to reset the image of what Chesterfield is as people drive along Long Road. He noted landscaping and open space are very important issues that will be addressed in the site plan meetings.

COMMENTS/DISCUSSION/RESPONSES TO QUESTIONS

Commissioner Layton inquired why the “outpatient substance abuse center” was left in as a possible use for the proposed development.

Mr. Hardesty noted it is difficult to interpret the ordinance. He further noted the petitioner has met with the Planning Department to eliminate some of the permitted uses, and will continue this process.

Mr. Doster noted that, in going through the list of uses permitted in the “PC” and “PI” Districts, some of the categories are more ancillary than primary, and the petitioner doesn’t want to be in a position of having left-out something that may apply.

Commissioner Layton noted that a substance abuse clinic, by itself, would be of concern to him.

Commissioner Yaffe inquired regarding the drainage.

Mr. Hardesty described the drainage, as depicted on the rendering, noting the system will be improved in accordance with the Levee District’s Drainage Master Plan.

Councilmember Brown inquired regarding the three (3) outlots next to Long Road.

Mr. Hardesty noted they would be developed as retail (i.e., a major drugstore, sit-down breakfast restaurant, etc.). He noted the developer will work on the elevations and address distances in a manner that will not obscure the visibility of the proposed center.

Mr. Hejna noted the outparcels will follow the same architectural design as the main buildings. He further noted the outparcels comprise approximately ten percent (10%) of the entire site plan.

Commissioner Eifler inquired about the drainage ditch going through the center of the development.

Mr. Volz noted the following:

- most of the drainage in the Valley is above ground, because the ditches are also used for water storage;
- the Valley consists of flat bottom ditches that work for conveyance and storage of water;
- these ditches drain to the large regional basins that are pumped-out of the Valley;
- the Valley has one (1) large drainage system; and

- the development will include building of perimeter drainage ditches for storage of water (i.e. open, grassy areas that will remain free of water most of the time).

Mr. Hardesty noted the developer views the open drainage ditches as an opportunity to landscape and create a greenspace buffer between the outlots and the inner lots. He further noted it will be outlined by trees.

Commissioner Broemmer noted he would like the buildings of the development to be broken-up, with some additional green space, rather than being in one continuous strip.

Mr. Hardesty noted the developer would be happy to discuss this in more detail to determine what the Commission would like to see on the site.

Commissioner Macaluso inquired about the retention pond.

Mr. Hejna noted the developer has come to terms with the Levee District. He further noted the pond will become a detention area for the entire 2100 acres to the west, and it will be a retention pond, regardless of the negotiations with the Levee District.

Commissioner Macaluso asked if this is a true retention pond or natural wetland area.

Mr. Hejna noted it is a combination of both. He further noted it will hold water until it is filtered through the pumping station.

SPEAKERS IN OPPOSITION: - None

SPEAKERS – NEUTRAL – None

REBUTTAL – Waived

APPROVAL OF THE MINUTES:

A motion to approve the June 8, 1998 Planning Commission Minutes was made by Commissioner Yaffe, seconded by Commissioner Eifler and **passes by a voice vote of 8 to 0.**

PUBLIC COMMENT:

1. Mr. Gregory J. Downey, 310 Steeple Lane, Chesterfield, MO 63005, spoke as an individual in opposition to P.Z. 17 & 18-98 AT&T, noting the following:
 - He has not received any communication nor information that was promised to him a few weeks ago regarding P.Z. 17 & 18-98.

Chairman Grant responded that the City has information available that will be given to him immediately. He further noted he believes there was some miscommunication as to how this information was to have been provided to him.

Mr. Downey asked under what standards or merits the proposal would be judged.

Mr. Grant noted the request is for a Conditional Use Permit, and the standards by which the City has to judge each application are contained within the ordinance.

2. Mr. Paul Ground, 14611 Manchester Road, Manchester, MO 63011, noted he is here on behalf of AT&T (P.Z. 17 & 18-98) to answer questions.

COMMENTS/DISCUSSION/QUESTIONS:

Commissioner Grant asked if there are any final contractual arrangements between AT&T and Nextel.

Mr. Ground noted that there have not been, nor will be, any contractual arrangements between AT&T and Nextel, because it is not their facility (i.e., AT&T is sub-leasing from Sprint). He further noted that all negotiations would need to be made with Sprint.

Chairman Grant asked Mr. Ground if he knows of any finality with respect to whether two (2) or three (3) entities are proposed for this tower.

Mr. Ground said he does not know. He further noted that AT&T is asking the Commission to treat their request the same as they treated Sprint's (i.e., let Nextel's application stand on its own). He believes the ordinance seeks to encourage co-location; but, he doesn't think the Commission's action on AT&T's application binds them one way or the other with regard to any subsequent application by Nextel.

Commissioner Layton noted that during one of the first meetings held on the AT&T application, they were asked that if didn't co-share this tower, what other location (i.e., footprint area) might they use to place a tower of their own. He further noted that he doesn't believe this information was received.

Mr. Ground noted he thought this information had been presented to the Planning Staff; however, if not, AT&T will be happy to furnish this information.

City Attorney Beach noted, to his knowledge, we have not received this information. He further noted the City would like information regarding other locations in that area that might be utilized, and how tall the structures would need to be in order to accommodate the communication needs.

Mr. Ground noted he will be glad to provide that information. He further noted that, in a general sense, they have represented AT&T regarding approximately twenty-five (25) towers in various parts of the metropolitan area. He noted that, ordinarily, the search ring is approximately 400 to 500 yards, without significant alteration of the grid (i.e., one-fourth to one-third of a mile).

City Attorney Beach noted it would be helpful if AT&T would arbitrarily pick three (3) or four (4) different sites that are very similar in location to the subject site, and tell the City how tall the tower(s) would need to be. He further noted that we need to look at this information and decide whether we want to have two (2) or three (3) towers at fifty-four (54) feet, whether or not they could put another pole nearby at fifty-four (54), fifty-five (55), or sixty (60) feet.

Mr. Ground noted AT&T could place one tower at the subject location at sixty (60) feet. The reason this proposal is at eighty (80) feet is due to the co-location (sharing) with Sprint. Users always agree that the owner of the tower goes on top.

Chairman Grant noted there has been discussion to hold this matter until the July 13, 1998 Commission Meeting, to allow the Commission to come to some resolution on the issues discussed tonight. He asked Mr. Ground, on behalf of his client, if he would object to the Commission holding it until that meeting.

Mr. Ground noted they would prefer to go forward, but he is willing to make more information available, if that's what the Commission desires.

Commissioner Layton noted that, while he appreciates the fact that whether or not we have a whip antennae on top is not the concern of AT&T (i.e., it is a matter of leasing), the determination of that information could have an impact on the way several Commissioner's feel about this tower.

Mr. Ground noted he understands, but AT&T cannot control this.

City Attorney Beach noted that AT&T has a contractual agreement with Sprint, and may suggest to them that the AT&T agreement is being held up because the City needs to know the status of negotiations between Sprint and Nextel.

Mr. Ground noted that representatives from Sprint and AT&T were before the Commission previously, on February 9, 1998, to discuss concepts of shared use on the subject site. in this specific case.

City Attorney Beach noted that the Nextel representative spoke after the representatives from Sprint and AT&T, and the City hasn't heard from anyone since that time.

Mr. Ground noted that AT&T will do everything they can to obtain the information requested by the Commission.

3. Mr. Michael Downey, 1605 Redbird Cove, Brentwood, MO 63146, spoke as an individual in opposition to P.Z. 17 & 18-98 AT&T Wireless PCS, Inc., noting the following:

- appearance is important;
- other municipalities have been able to place towers in extended church steeples;
- it may be a good solution to have a sixty (60) or eighty (80) foot steeple at St. Thomas; and
- it could be attached as an abutting steeple, even if the current building won't hold it.

City Attorney Beach noted the Minister stated his congregation doesn't want the tower in their steeple.

Mr. Downey noted he believed the indication was that the building couldn't hold it. He believes that they could patch the current hole where the steeple was and simply set a steeple on the end, thereby making the appearance more aesthetically pleasing.

City Attorney Beach noted it may be a matter of semantics, but the church may not have the same idea. The City cannot control what the church wants to do with their steeple.

NEW BUSINESS:

- A. **P.Z. 16-98 Bopp Properties;** a request for a change in zoning from "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban to an "R-2" 15,000 square foot Residence District and an "FPR-2" Flood Plain 15,000 square foot Residence District for a 6.8 acre tract of land; located on Woods Mill Road, 100 feet west of Highway 141, 1300 feet north of Conway Road.

Director Teresa Price noted the Department is recommending that this matter be tabled.

A motion to table this matter was made by Commissioner Layton, seconded by Commissioner Yaffe and **passes by a voice vote of 8 to 0.**

Commissioner Broemmer inquired regarding the status of this project.

Director Price noted she spoke with the petitioner and engineer for this project, and explained the concerns that came up at both the public hearing and issues meeting. She further noted that it is for that reason the Department is requesting it be tabled to allow these issues to be reviewed further.

- B. **P.Z. 17-98 AT&T Wireless PCS, Inc. c/o Quinn, Ground and Banton, L.L. P.;** a request for a change of zoning from "NU" Non-Urban District to "LLR" Large Lot Residential District for a 18.4 tract of land on Wildhorse Creek Road.

AND

- C. **P.Z. 18-98 AT&T Wireless PCS, Inc. c/o Quinn, Ground and Banton, L.L.P.**; a request for a Conditional Use Permit in the "LLR" Large Lot Residential District for a 18.4 tract of land located on Wildhorse Creek Road. Proposed Use: Operation of a church and placement of a wireless telephone transmitting and receiving facility.

Planner I Annissa McCaskill summarized the requests.

Chairman Grant noted that, in light of the comments made during tonight's "Public Comment" portion of the meeting, he moves to hold P.Z. 17-98 and P.Z. 18-98. The motion was seconded by Commissioner Layton and **passes by a voice vote of 8 to 0.**

- D. **P.Z. 20-98 Straw Horse, Ltd.**; a request for a change of zoning from "NU" Non-Urban District to "PC" Planned Commercial District for a 2.43 acre tract of land on Olive Street Road. Proposed Use: Retail Sales.

Planner I Annissa McCaskill noted that the Department recommends this matter be held until the July 13, 1998 Planning Commission Meeting, due to the fact that the Department did not receive agency comments in time to prepare a complete report.

A motion to hold was made by Commissioner Eifler, seconded by Commissioner Yaffe and **passes by a voice vote of 8 to 0.**

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **Spirit of St. Louis Airport, Lots 11 & 12 (Alexo RE)**; Site Development Section Plan, Landscape Plan and Architectural Elevations in the "M-3" Planned Industrial District; west of Spirit of St. Louis Boulevard, north of Edison Avenue, and on the west side of North Bell Avenue. The project proposes two (2) hanger facilities with office space in the front.

Commissioner Yaffe, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Landscape Plan and Architectural Elevations for the Spirit of St. Louis Airport, Lots 11 & 12, subject to the condition that the hanger and office sections of the building are the same in color and smooth texture. The motion was seconded by Commissioner Broemmer and **passes by a voice vote of 8 to 0.**

- B. **P.C. 165-167, 170 and 172-71 Sachs Properties/Chesterfield Village and P.Z. 21-96 Hayden Homes, Inc./Chesterfield Village – Stonehill Village**; Planned Environment Unit (PEU) Procedure in the "R-5" and "R-8" Residence Districts amended Site Development Plan; east side of Baxter Road, south of August Hill Road.

Commissioner Yaffe, on behalf of the Site Plan Committee, made a motion to approve the amended Site Development Plan for P.C. 165-167, 170 and 172-71, P.Z. 21-96 Stonehill Village. The motion was seconded by Commissioner Macaluso and passes by a voice vote of 8 to 0.

- C. **Insituform:** A Record Plat in the "M-3" Planned Industrial District, governed by the City of Chesterfield Ordinance # 1156. Located at the intersection of Edison and Goddard on the northeast quadrant, south of Chesterfield Airport Road.

Commissioner Yaffe, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for Insituform. The motion was seconded by Commissioner Eifler and passes by a voice vote of 8 to 0.

- D. **(P.Z. 31-96) Eagle Crest Estates:** A Site Development Plan in the "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District, governed by the City of Chesterfield Ordinance # 1315. Located on the south side of Wild Horse Creek Road, west of the intersection of Wilson Road and Wild Horse Creek Road.

Commissioner Yaffe, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan (P.Z. 31-96), subject to the following Department of Planning conditions:

1. **Prior to the Department authorizing zoning approval, the petitioner must provide comments/approval from the Department of Public Works on the delineation of all floodway limits shown on the plan.**
2. **The petitioner shall provide a geotechnical report for this site in conformance with the requirements of the development's ordinance and provide a Certification of Compliance on the plan that is signed and sealed by a Geotechnical Engineer.**
3. **The petitioner shall resolve any conditions the City's Tree Consultant(s) may have regarding the Landscape Plan, Tree Delineation Plan, and other issues relating to the City's Tree Ordinance, prior to zoning approval.**
4. **No grading permits shall be authorized until these conditions are satisfied.**

The motion was seconded by Commissioner Right and passes by a voice vote of 8 to 0.

City Attorney Beach noted that a question came up as to why AT&T Wireless had two (2) petitions: one (1) for rezoning; and one (1) for the tower. He noted the following:

- Prior to and after the moratorium, the City tried to obtain a position of changing all the Non-Urban zonings to a zoning category in compliance with the Comprehensive Plan.

- In an effort to accomplish this task, the Planning Director and he have taken the position that, anytime anyone comes in with a request in a Non-Urban District, they will be asked to rezone in accordance with some particular use we find in our new zoning ordinance and Comprehensive Plan.
- This is why we see matters before the Commission that would otherwise not require a rezoning; however, rezoning is necessary in order to bring the property into compliance with our ordinances/regulations.
- In some instances the City is paying part of the cost of rezoning, because they are saving us money in the long run.

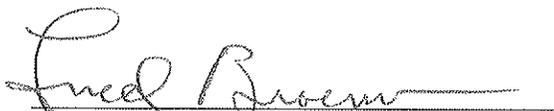
Director Price introduced Molly Butler Dunham, Planner I, to the Commission.

- A. **Ordinance Review Committee** - No report
- B. **Architectural Review Committee** - No report
- C. **Site Plan/Landscape Committee** - No report
- D. **Comprehensive Plan Committee** - No report
- E. **Procedures and Planning Committee** - No report

Chairman Grant noted he is in the process of making assignments to the Committees of the Commission, asked Commissioners to advise him of any preferences within the next week or so, and said that he will try to accommodate their wishes.

A motion to adjourn was made by Commissioner Eifler, seconded by Commissioner Broemmer and passes by a voice vote of 8 to 0.

The meeting adjourned at 8:10 p.m.


 Fred Broemmer, Secretary

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(Revised Page 2)