CORRECTED

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
July 10, 2000

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

I. PRESENT | **ABSENT**

Mr. David Banks
Mr. Mike Kodner
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Ms. Rachel Nolen
Mr. Jerry Right
Ms. Victoria Sherman
Mr. B. G. Wardlaw
Chairman Fred Broemmer
Mayor Nancy Greenwood
Mr. Rob Heggie, Acting City Attorney
Mr. John Nations, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Mr. Tom Blanchard, Project Planner
Mr. Paul DeLuca, Project Planner
Mr. John Wagner, Project Planner
Ms. Kathy Lone, Executive Secretary/Planning Assistant

II. INVOCATION: Commissioner Sherman

III. PLEDGE OF ALLEGIANCE: All

Chairman Broemmer recognized the attendance of Mayor Nancy Greenwood, Councilmember Barry Streeter (Ward II), Councilmember Dan Hurt (Ward III), Councilmember Charles Scheidt (Ward IV) and Council Liaison John Nations (Ward II).

Chairman Broemmer introduced Mr. B. G. Wardlaw as the newest member of the Planning Commission.

IV. PUBLIC HEARINGS: None

V. APPROVAL OF MEETING MINUTES

Commissioner Kodner made a motion **to approve** the June 26, 2000 Meeting Minutes. The motion was seconded by Commissioner Layton **and passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT

1. Mr. Dan Bloom, 17643 Bridgeway Circle, Chesterfield, MO 63005, attorney for P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);

- Speaker stated that project fits in the existing R-2 zoning and the Comprehensive Plan;
- Speaker stated that comments which have been directed to the development itself, have been favorable;
- Speaker stated that a condition in the approval is that there must be satisfaction of all of the applicable floodplain ordinances, which includes City, State and Federal;
- Speaker stated that, if the 141 road goes close or through this property, a right-of-way on the property would be dedicated;
- Speaker asked that, if the Commission does not approve these petitions, what would they recommend to be developed on this site;
- Speaker stated that he would like these petitions voted on this evening.

2. Mr. Todd Brady, 1557 Wildhorse Parkway Drive, Chesterfield, MO 63005, engineer for P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);

- Speaker explained and showed photographs for the equal balance of 'cut and fill' in the flood plain;
- All of the dirt that gets cut and/or filled at or below the line for the 100 year floodplain must be equally swapped with cut and fill to satisfy the back water storage requirements of the flood plain;
- Speaker stated that FEMA will require a flood study for the entire Creve Coeur Creek;
- Speaker stated that the developer cannot raise the water surface elevation from what it currently is on any off-site properties, either up stream, down stream or on either side;
- Speaker stated that the City ordinances require a no-rise certification from the engineers preparing the flood study;
- Speaker stated that Creve Coeur Mill Road from Olive Street Road up to just short of the proposed entrance for this development will remain in its existing condition and will flood the same way it does today.

3. Mr. Patrick Worzer, Land Design Services, 11920 Westline Industrial Drive, St. Louis, MO 63146, speaking in favor of P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates);

- Speaker presented a hand-out to the Commission showing a conceptual depiction of the 141 roadway and how it could work with this site.

4. Mr. Harvey Present, 1073 Appalachian Trail, Chesterfield, MO 63017, trustee for Shenandoah Subdivision, speaking in favor of P.Z. 15-2000 Hayden Homes and P.Z. 16-2000 Hayden Homes;

- Speaker expressed concern that restrictions have been imposed on the Hayden development by St. Louis County and approved by the Planning Department;
- Speaker expressed concern over the possible access of North Outer Forty to Conway Road.

5. Mr. Lee Wall, 14759 Plumas Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 14-2000 One Chesterfield Place;

- Speaker stated that he is not opposed to the building but is opposed to the height of 5 stories.

6. Mr. John Pitcher, 12935 North Outer Forty, Chesterfield, MO 63017, petitioner for P.Z. 14-2000 One chesterfield Place;

- Speaker stated that he is present to answer questions.

7. Ms. Laura Lueking, 15021 Conway Road, Chesterfield, MO 63017, speaking in favor of P.Z. 14-2000 One Chesterfield Place, P.Z. 15-2000 Hayden Homes and P.Z. 16-2000 Hayden Homes;

- Speaker stated that she would prefer the footprint to be larger and the height of the building lower on the Vitt project;
- Speaker stated the Comprehensive Plan calls for residential on the proposed Hayden site;
- Speaker stated that the additional widening of Conway road to 24 feet of pavement, with an 8-foot paved shoulder and a 5-foot sidewalk is too much for a 42-attached home development;
- Speaker asked the City to take over Conway Road;
- Speaker asked the Commission to delete the access rights from the adjacent property requirement;
- Speaker asked the Commission to approve this development without widening Conway Road.

8. Ms. Debbie Himmelsbach, 14829 Conway Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 14-2000 One Chesterfield Place;

- Speaker stated that she is against the 5-story building and placing it so close to residential property;
- Speaker stated that she is against removing needed tree cover;
- Speaker stated that she is against any access from North Outer Forty Road to Conway Road.

9. Mr. Dennis Hayden, Seven the Pines Court, Chesterfield, MO 63141, petitioner for P.Z. 15-2000 Hayden Homes and P.Z. 16-2000 Hayden Homes;

- Speaker stated that he is present to answer questions.

10. Mr. Hefty Hoffman, 14308 Conway Meadows Court, Chesterfield, MO 63017, speaking neutral to P.Z. 15-2000 Hayden Homes and P.Z. 16-2000 Hayden Homes;

- Speaker stated that he wants the City to take over Conway Road;
- Speaker stated that a sidewalk is needed on Conway Road.

11. Mr. Steve Koslovsky, 231 South Bemiston, 8th Floor, Clayton, MO 63105, attorney for P.Z. 19-1999 Chesterfield Village;

- Speaker gave an overview of this petition;
- Speaker stated that the proposed height of this building is similar in height to other buildings in the area;
- Speaker stated that this proposal would not have direct access to Chesterfield Parkway;
- Speaker stated that this proposal is in the heart of the urban core;
- Speaker stated that the proposed development would have very little, if any, impact on the Brandywine Condominiums.

Commissioner Wardlaw asked Mr. Koslovsky, since there is a lot of objection to the height of the building, why not drop the floor of the building and have a building like the parking garage.

Mr. Koslovsky stated that he would consult with his engineer and respond to the Commission in writing on that issue.

12. Mr. John Barrett, 15593 Bedford Forge, Chesterfield, MO 63017, resident of Brandywine Condominiums, speaking in opposition to P.Z. 19-1999 Chesterfield Village;

- Speaker stated that since no changes have been made in the project, he is present to reiterate his concerns about the proposed site;
- Speaker stated that he is concerned about the impact on quality of life for the condominiums;
- Speaker stated that the concerns of the residents are: density of the project, traffic, storm water drainage, site impact on the Parkway, garage visibility, green space, and air and noise pollution.

13. Ms. Jade Gardner Bute, 15593 Bedford Forge, Chesterfield, MO 63017, resident of Brandywine Condominiums, speaking in opposition to P.Z. 19-1999 Chesterfield Village;

- Speaker expressed concerns about increasing traffic, higher density of the development and the intrusion of the residential character of the City;
- Speaker asked the Commission to consider the impact of this proposed development on the City.

14. Ms. Nancy Gass, 1512 Bedford Forge Court, Chesterfield, MO 63017, speaking in opposition to P.Z. 19-1999 Chesterfield Village;

- Speaker stated that Parkway traffic is increasing daily;
- Speaking expressed concern about the lighting of the proposed development.

15. Mr. Dave Rosen, 15593 Hitchcock Road, Chesterfield, MO 63017, trustee for Chesterfield Plantation, speaking neutral to P.Z. 20-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders, P.Z. 21-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders, P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders and P.Z. 23-2000 Larus Real Estate Partnership and Barnes-Jewish Hospital;

- Speaker expressed concerns about water and the run-off issues which start at Olive Boulevard and go to the rear of the property.

16. Mr. Roger Cox, 1550 Wall Street, St. Charles, MO 63303, speaking in favor of P.Z. 20-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders;

- Speaker stated that he is present to answer questions.

Commissioner Nolen made a motion to suspend the rules to allow Mr. Harvey Present to speak for four (4) minutes. The motion was seconded by Commissioner Layton **and passes by a voice vote of 9 to 0.**

17. Mr. Harvey Present, 1073 Appalachian Trail, Chesterfield, MO 63017, trustee for Shenandoah Subdivision, speaking neutral to P.Z. 20-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders, P.Z. 21-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders, P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders and P.Z. 23-2000 Larus Real Estate Partnership and Barnes-Jewish Hospital;

- Speaker stated that Shenandoah Subdivision, by its trustees, is committed to ensure that the character of the neighborhood, the environment, the property values and the quality of life to the residents are not going to be compromised regarding the proposed developments;
- Speaker stated that the residents need to know how much acreage will be designed for each use.

18. Mr. Alan Lebon, 1318 Conway Oaks Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders;

- Speaker declined to speak.

19. Mr. Rich Winter, speaking in favor of P.Z. 23-2000 Larus Real Estate Partnership and Barnes-Jewish Hospital;

- Speaker stated that he is present to answer questions.

20. Mr. Steve Quigley, 11920 Westline Industrial Drive, St. Louis, MO 63146, engineer, speaking in favor of P.Z. 23-2000 Larus Real Estate Partnership and Barnes-Jewish Hospital;

- Speaker stated this petition is complying with the City's request that the 'MXD' District be eliminated with a rezoning to an 'R' District.

21. Mr. John Barber, 1312 Conway Road, Chesterfield, MO 63017, speaking neutral to P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders and P.Z. 23-2000 Larus Real Estate Partnership and Barnes-Jewish Hospital;

- Speaker stated that he has not yet seen the plan and asked if there is a time schedule for reviewing the plan before these petitions are voted on.

Director of Planning Teresa Price stated that one of the issues is the need for the petitioner to meet with the residents.

22. Mr. Ed Casanova, 15680 Coventry Farm Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 25-2000 Amburn Homes;

- Speaker stated that he concerned about lowering the value of homes in the area;
- Speaker stated that other developments by Amburn Homes show inconsistencies in appearance, features and size with neighboring subdivisions.

23. Mr. Bart Green, 15673 Coventry Farm Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 25-2000 Amburn Homes;

- Speaker stated that he is concerned with the consistencies of the proposed development and the homes in The Courts and Coventry Farm subdivisions.

24. Mr. Dean Burns, THF Realty, 2127 Innerbelt Business Center Drive, St. Louis, MO, speaking in opposition to the possible commercial development moratorium;

- Speaker stated that some land use ordinances need to be reviewed but asked that development not be halted while this is being done;
- Speaker stated that tenants are now being cited directly, expeditiously and on a weekly basis the developer is apprised of the progress.

Councilmember Nations made a request for a motion from the Commission to change the order of the agenda.

Commissioner Layton made a motion to change the order of the agenda and bring Item G. P.Z. 19-1999 Chesterfield Village after Item C. P.Z. 11-2000 St. Louis Family Church. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

VII. NEW BUSINESS

A. **P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates)**; a request for a rezoning from "NU" Non-Urban District and "FPNU" Flood Plain Non Urban District to "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District for a 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

AND

B. **P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates)**; a request for a Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District for the same 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

Proposed Uses:

- Dwellings, single family attached;
- Dwellings, single family detached.

Assistant Director of Planning Laura Griggs-McElhanon stated that Staff received a letter from the City of Maryland Heights requesting some additional time to review these petitions.

Commissioner Banks made a motion to hold P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates. The motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Kodner, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Wardlaw, yes; Chairman Broemmer, yes.

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

C. **P.Z. 11-2000 St. Louis Family Church:** A request for a change in zoning from "C-8" Planned Commercial, "NU" Non-Urban, and "M-3" Planned Industrial Districts to "PI" Planned Industrial for a 16.17 acre tract of land located south of Chesterfield Airport Road, west of Valley Center Drive, more commonly known as St. Louis Family Church (Locator Numbers: 17U230298, 17U210179, 17U210168, 17U230201, 17U230221, 17U230111).
Proposed Uses:

- Churches shall be allowed on tracts of land of at least one acre in area.

Ms. Griggs-McElhanon stated that Staff received a letter from the attorney for this petition asking for more time to meet with Staff to discuss concerns the petitioner has with conditions in Attachment A.

Commissioner Layton made a motion to hold P.Z. 11-2000 St. Louis Family Church for two (2) weeks. The motion was seconded by Commissioner Sherman.

Upon a roll call the vote was as follows: Commissioner Kodner, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Chairman Broemmer, yes.

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

Chairman Broemmer called for a recess at 8:40 p.m. The meeting reconvened at 8:52 p.m.

G. **P.Z 19-1999 Chesterfield Village**: a request for a change of zoning from "NU" Non-Urban District to "PC" Planned Commercial District for three parcels located on Chesterfield Parkway East, 325 feet East of Elbridge Payne Road and South of Clarkson Road. Total area to be rezoned: 9.096 acres. (Locator numbers 18S210028, 18S210062, and 19S531801)

Proposed uses:

- Offices or office buildings;
- Cafeterias for employees and guests only;
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

Ms. Griggs-McElhanon gave an overview of this petition. Ms. Griggs-McElhanon stated that a letter had been received from Mr. Steven W. Koslovsky, attorney for the petitioner stating issues. In the Work Session, Staff stated that Item F (Changes relative to setbacks) was the only item that Staff was willing to agree with.

Commissioner Sherman asked that, in Mr. Koslovsky's letter, Attachment A with the floor area ratio and green space area did not particularly apply since this was not an ordinance but because this is the urban core area and so, therefore, it should be denser than perhaps what had been established for the east corridor.

Ms. Griggs-McElhanon stated that Staff had been providing this information in the reports and Attachment A's. This was in the SSM report and SSM exceeded the minimums so, ultimately, what was proposed is what was put in the Attachment A by the Commission. Since then, with discussion on P.Z. 36-1999 (the proposed amendments to the PC District) Staff has been providing this information to all of the PC districts. They have been put in Attachemnt A's as minimums but they can be changed by the Commission.

Commissioner Sherman questioned the parking. Attachment A states that the parking ratio is 4/1000 sq. ft.

Ms. Griggs-McElhanon stated that Staff has been using this ratio since it was discussed last year. Ms. Griggs-McElhanon stated that this has been appropriate.

Commissioner Sherman stated that a letter from MoDOT, dated June 14, 2000, from Michael James, states, "we recommend actuation at Highway 40 and 340 for all lanes."

Ms. Griggs-McElhanon stated that actuation would be driving over something and it makes something happen.

Commissioner Sherman asked, in a June 28, 2000 letter from Ms. Julie Nolfo of Crawford, Bunte, Brammeier (CBB), "The provision of a separate eastbound right-turn lane from South Outer Forty onto southbound Clarkson Road. Commissioner Sherman asked where this was located.

Ms. Griggs-McElhanon stated that this is located at Highway 40 and the Olive/Clarkson exit, going south.

Commissioner Sherman stated that, page 3 of Ms. Nolfo's letter of June 28, 2000, mentions removing some medians on Chesterfield Parkway to the north of the Schoettler Valley Drive condemnation which is also part of the SSM approval.

Ms. Griggs-McElhanon stated that this is not in the Attachment A for P.Z. 19-1999 Chesterfield Village for approval this evening. It was a recommendation of CBB that this be considered but the County Highway Department did not put this in any correspondence to the City. The traffic consultant was recommending that, if you could visualize the Parkway from Schoettler Valley to

South Outer Road, there are some pieces of median. If you travel the Parkway at 5:00 p.m. and want to turn and go south on Schoettler Valley, it backs up tremendously and you run out of left turn lane room and end up in one of the through lanes. This recommendation would eliminate all of the medians so there would be more stacking distance for the left turn lane to get out of the through lane traffic so the through traffic could actually move better.

Commissioner Sherman asked Ms. Griggs-McElhanon for clarification that the purpose of eliminating this is to help the traffic continue to move through on the Parkway or turn left.

Ms. Griggs-McElhanon stated that the purpose is to make the lanes operate better and also allows more stacking distance for the left turn movement. Ms. Griggs-McElhanon again stated that the Commission would have to put this in Attachment A tonight since it is not in there now.

Commissioner Sherman stated that it is her understanding that we want the traffic to move on the Parkway but not move on down through the residential areas. Something needs to be done to make it less advantageous for people to want to move into the residential areas.

Commissioner Sherman asked, in the CBB letter, page 3; "There may be physical constraints due to the location of the Schoettler Road spur and the availability of right-of-way to the south of the spur." Commissioner Sherman asked if there was a possibility that the spur would disappear and be eliminated.

Ms. Griggs-McElhanon stated that it has not been discussed and is not found in any conditions. Ms. Griggs-McElhanon stated that that paragraph is a condition included in Attachment A.

Commissioner Sherman stated that she just wanted the understanding that the spur road would not be eliminated.

Commissioner Nolen asked for clarification on the setbacks for the parking garage.

Ms. Griggs-McElhanon stated that there is a 15-foot setback from the Parkway.

Ms. Griggs-McElhanon stated that the petitioner is required to provide Pathways on the Parkway. It is in Attachment A, page 7, 6. Public/Private Road Improvements, Including Sidewalks, c. Ms. Griggs-McElhanon stated that a minimum 14-foot wide area is required for improvements. The setback for the parking garage is 15 feet. Part of the setback could be in the right-of-way.

Commissioner Nolen asked if the Pathways on the Parkway could take away from the landscaped berm for the parking garage.

Ms. Griggs-McElhanon stated yes.

Commissioner Nolen expressed concern that the parking garage is 8 to 10 feet out of the ground but does not have a very large berm. Commissioner Nolen asked what plants could grow in that narrow of a space to cover the garage. Commissioner Nolen expressed concern of approximately 300 feet of a garage wall on the Parkway and does not think that that is a desirable look for the Parkway.

Ms. Griggs-McElhanon stated that the condition for Pathways on the Parkway says that it can be located in the County right-of-way or within an easement on the subject property and improvements are included but not limited to a 6-foot wide sidewalk and installation of street trees and street lights.

Ms. Griggs-McElhanon stated that the Commission has the ability to change the setbacks.

Commissioner Kodner asked if there was a design detail that could be put into the wall when it is poured to change the look if the concern was aesthestic.

Commissioner Broemmer asked the Commission whether they wanted to discuss the items from Mr. Koskovsky's letter to include or exclude them from Attachment A or go directly to and discuss Attachment A.

Commissioner Macaluso made a motion to go directly to Attachment A and keep in mind Mr. Koslovsky's letter to either include or address its items for Attachment A. The motion was seconded by Commissioner Layton.

Commissioner Sherman stated that she was only interested in making a change in Item (f) of Mr. Koslovsky's letter.

Ms. Griggs-McElhanon stated that this was the only item of the letter that Staff did not have any objection to. With that, the changes in Attachment A would be:
p. 5, 3. Surface parking and Loading Space Setbacks, (ii) ~~50~~' from the eastern limits of this "PC." (50' would be changed to 8' and would depict what was on the Preliminary Plan.)

Commissioner Nolen stated that she was not comfortable with the system of discussing Attachment A point by point within complied consent when the overall project has a lot of potential problems. She would like to figure out a way to do this.

Commissioner Nolen stated that there are several items with this project that she is not comfortable with in regards to traffic patterns, where the garage sits, not a lot of input on how it will be moved, the building heights, etc. Commissioner Nolen does not think that this project can move forward before every item is debated. Commissioner Nolen stated that this project has been reviewed for a year and all of the issues and problems are still present. The petitioner has not made any changes.

Commissioner Banks stated that Staff has made some changes but not the petitioner. Staff has made changes in the floor area ratio which is significant.

Commissioner Macaluso and Commissioner Nolen stated that the Commission still does not know what the new height would be, how the garages and garage wall will be affected and what the development will look like.

Ms. Griggs-McElhanon stated that, on average, the green space was 30%. Attachment A includes the new minimum which is 45%. Ms. Griggs-McElhanon stated that the floor area ratio is .74.

Commissioner Nolen made a motion to deny P.Z. 19-1999 Chesterfield Village. The motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, no; Commissioner Sherman, no; Commissioner Banks, no; Commissioner Kodner, yes; Chairman Broemmer, yes.

The motion to deny passes by a vote of 5 to 3 to 1. (Commissioner Wardlaw abstained from voting.)

D. **P.Z. 14-2000 One Chesterfield Place;** a request for a rezoning from "NU" Non-Urban District to "PC" Planned Commercial District for a 6.4 acre tract of land located on the north side of North Outer Forty Road, just west of Bonhomme Presbyterian Church (Locator Number: 18R110011).
Proposed Uses:

- Offices or Office Buildings;
- Cafeterias for employees and guests only;
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage or wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.

Director of Planning Price gave an overview of this petition. Ms. Price stated that Attachment A has been developed for discussion purposes. Staff received a letter from the petitioner after they reviewed Attachment A. The items that still outstanding are:
Page 2 of the letter from Alvin D. Vitt & Company, dated July 7, 2000, (b) Site Specific Criteria. The petitioner's justification for having a varied setback versus that amount is outlined in Number 1.
Item 5(b). Ms. Price stated that the petitioner and Staff are now in agreement of 220 feet;
Item 7. Ms. Price stated that Staff will not agree to eliminate the need for a future traffic study but will insert wording that a traffic study "may be required." Staff does not yet know if there will be

an issue with the internal circulation when the Site Development Plans are submitted.
Item 8(d). Ms. Price stated that Staff would like to have the Landscape Plan and canopy coverage based on the 1998 canopy. Staff is still unsure of the tree harvesting area so Staff disagrees with the petitioner. Ms. Price stated that petitioner just stood up and agreed with this item number.

Ms. Price summarized that there are two (2) items: structure setbacks and traffic study. Ms. Price stated that Attachment A, page 7, 7. Traffic Study will now read: "Prior to Site Development Plan approval, a traffic study may be required, including internal and external circulation, for review and approval, by the City of Chesterfield Department of Public Works and the St. Louis County Department of Highways and Traffic."

Ms. Price stated that there is a general statement in the Attachment A that access to the adjacent site shall be provided. Mr. Hayden questioned this. Mr. Mike Geisel, Director of Public Works, stated that he felt uncomfortable changing the wording from "as directed by the City of Chesterfield" and the petitioner wanted the wording to say "as agreed upon between the petitioner and the City of Chesterfield." Staff felt that it was best to leave the wording as is.

Commissioner Nolen stated that she does not want the commercial development to have any access to the residential development.

Ms. Price stated that in Attachment A, page 6, V. SITE SPECIFIC CRITERIA, 5. Access: Add 'd. Access will be limited to east and west properties.'

Commissioner Banks made a motion to include verbiage in the July 7, 2000 letter from Mr. John Pitcher of Alvin D. Vitt & Company, page 2 (b) Site Specific Criteria: (i) to use an average distance that will be used for the setback instead of what was in Attachment A. The motion was seconded by Commissioner Layton.

Upon a roll call the vote was as follows: Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Commissioner Kodner, yes; Commissioner Layton, yes; Chairman Broemmer, yes.

The motion passes by a vote of 9 to 0.

Commissioner Sherman asked for clarification that, if this petition is approved, enough square footage has not been created to trigger a triple-left turn.

Ms. Price stated yes. Ms. Price stated that it is dictated by MoDOT and the City what the improvements to the road system will be. The Trust Fund puts the money aside until it is time to actually build the road.

Commissioner Nations asked Julie Nolfo, CBB, in her April 20, 2000 letter, page 2 last paragraph, states that, "in the current count of 450 employees, more than 70% of this current employee population travels to and from the east on Highway 40." When CBB did the analysis, they used the figure of 55% of the employee traffic coming from the east.

Ms. Nolfo stated that her basis for adjusting the percentage is that CBB looked at what was happening today with the 450 employees and took into consideration improvements that are currently being done to the road system as well as the residential population shift that is occurring to the west and made some adjustments. The distribution percentages are the same that were used for the Solomon proposal. There was a level of comfort with the distribution. Much research has been done to arrive at the percentages.

Commissioner Nolen made a motion to approve P.Z. 14-2000 One Chesterfield Place subject to Attachment A with the following amendments:
Page 6, V. SITE SPECIFIC CRITERIA, A.,5. Access, (b) change 300 feet to 220 feet;
Page 6, V. SITE SPECIFIC CRITERIA, A.,5. Access, add (d) Access will be limited to the east and west properties;
Page 7, V. SITE SPECIFIC CRITERIA, A.,7. Traffic Study, remove the word 'provide' and after the words 'traffic study' add 'may be required;'
Page 5, V. SITE SPECIFIC CRITERIA, A., 3. Parking and Loading Space Setbacks, (c) change the 350 feet to 325 feet.
Page 10, VI. TRUST FUND CONTRIBUTION, A. last paragraph, change to January 1, 2001.
The motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Commissioner Kodner, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Chairman Broemmer, yes.

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

E. **P.Z. 15-2000 Hayden Homes;** a request for a rezoning from "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for a 14.7 acre tract of land located on the south side of Conway Road, east of Delmar Gardens Enterprises (Locator Numbers: 18R110121 (formerly 18R110112 and 18R110097), 18R110086, and 18R110053).

AND

F. **P.Z. 16-2000 Hayden Homes;** a request for a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District for the same 14.7 acre tract of land located on the south side of Conway Road, east of Delmar Gardens Enterprises (Locator Numbers: 18R110121 (formerly 18R110112 and 18R110097), 18R110086, and 18R110053).
Proposed Uses:
- Dwellings, single family attached;
- Dwellings, single family detached.

Ms. Price gave an overview of these petitions. Ms. Price stated that Staff received a letter from Mr. Dennis Hayden addressing revisions to Attachment A. Ms. Price stated that Staff does not have any issues with the changes with the exception of Attachment A, page 3, V. SPECIFIC CRITERIA, 5. Public/Private Road Improvements, Including Sidewalks, e., f.
Mr. Hayden wants to delete "as directed by the City of Chesterfield' and add "as may be agreed upon between the Petitioner and the City of Chesterfield." Ms. Price stated that this would need to be reviewed by City Attorney Doug Beach. Attachment A could be forwarded while being reviewed by City Attorney Beach and changed at Planning and Zoning Committee.

Commissioner Nolen asked why cross access would be needed between the commercial and residential developments.

Ms. Price stated that if another Preliminary Plan is submitted, it is not known how that property would be developed.

Commissioner Nolen stated that she wants it more concrete that it is east/west access and if, in the future north/south, there can be an ordinance amendment.

Acting City Attorney Heggie stated that at a future point, the City may not be able to get that hookup.

Councilmember Nations made the suggestion to entertain a motion to approve with the Attachment A and then go through any amendments to Attachment A that need to be addressed.

Commissioner Sherman made a motion to approve P.Z. 15-2000 Hayden Homes, Inc. and P.Z. 16-2000 Hayden Homes, Inc. subject to Attachment A. The motion was seconded by Commissioner Macaluso.

Commissioner Nolen made an amendment to the motion to restrict cross access to east/west properties (Attachment A, page 4, V. SPECIFIC CRITERIA, A., 4. Access, e.,f.; to change the wording as follows:

e. Provide right-of-way dedication and necessary easements for **east/west access** to adjacent properties as directed by the City of Chesterfield.
f. Construct roadway and appurtenances, including landscaping, to provide **east/west access** to adjacent properties as directed by the City of Chesterfield.

The amendment to the motion was seconded by Commissioner Banks.

Commissioner Layton stated that he is very concerned by not allowing ***north/south*** access. Even though there is concern for the neighbors, emergency access may be necessary. There could be a future need for this access.

Commissioner Sherman also stated her concern for the neighbors but that she is also against this amendment because she does not know what will be needed for the future.

Upon a roll call the vote was as follows: Commissioner Right, no; Commissioner Sherman, no; Commissioner Wardlaw, yes; Commissioner Banks, yes; Commissioner Kodner, no; Commissioner Layton, no; Commissioner Macaluso, no; Commissioner Nolen, yes; Chairman Broemmer, no

The amendment to the motion fails by a vote of 3 to 6.

Councilmember Nations stated that he does not think that any improvements need to be made to Conway Road except perhaps a subdivision entrance apron and that he does not understand Attachment A, V. SPECIFIC CRITERIA, A., 5. Public/Private Road Improvements, Including Sidewalks, b. Councilmember Nations stated that if the Commission believes that if something is required, he would suggest that it does not need to be improved all along the Hayden development and that the language in this item needs to be addressed.

Ms. Price stated that this is at the request of County Highway Department and the City's Department of Public Works is in agreement.

Mr. Dennis Hayden, President of Hayden Homes, stated that the wording may be unclear. Right now, in front of the proposed development, Conway Road varies between 20 and 22 feet wide. These are considered substandard lane widths. Each lane would be less than 12 feet wide. Subdivision streets are 26 feet wide and they have 24 feet dedicated to driving and 1 foot on each side dedicated to the curb and gutter sections. The County Highway is recommending that the roadway be increased to 24 feet wide (2 12-foot driving lanes). The widening that would be required (varies from 0 to 4 feet wide at its maximum increase in lane width) is an estimate at this time. An 8-foot shoulder would be constructed on the south side of that lane improvement, then a grass strip and then a 5-foot wide sidewalk in accordance with the County recommendation. The new right-of-way line is approximately 15 feet from the old right-of-way line. If improvements are ever made on the other side of the street, it would go 70 feet from the line established by Hayden Homes to establish the new right-of-way line on the north side of Conway Road.

Councilmember Nations stated, in his opinion, the most that should be required would be the 12-foot lane and the 1-foot for the curb. Councilmember Nations does not see the need for an 8-foot stabilized shoulder. Councilmember Nations stated that there would still be a 5-foot shoulder without making the roadway improvements.

Commissioner Wardlaw left the meeting at 10:08 p.m. and did not return.

Commissioner Nolen made an amendment to the motion to eliminate the 8-foot stabilized shoulder. This would now read 'b. Improve Conway Road to one-half of a seventy (70) foot right-of-way and a twenty four (24) foot pavement with required tapers and including all storm drainage facilities as directed by the Department of Highways and Traffic.' The motion was seconded by Commissioner Sherman.

Commissioner Sherman stated that her reason for seconding the motion is that there still is a 5-foot wide sidewalk which helps for safety.

Upon a roll call the vote was as follows: Commissioner Sherman, yes; Commissioner Banks, yes; Commissioner Kodner, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, yes; Chairman Broemmer, yes.

The amendment to the motion passes by a vote of 8 to 0. (Commissioner Wardlaw had left the meeting.)

Commissioner Nolen made an amendment to the motion to accept Attachment A, as amended, with the items in the Hayden Homes July 8, 2000 letter, except items 5 and 8 which are to be reviewed by City Attorney Beach. The motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Kodner, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Chairman Broemmer, yes

The amendment to the motion passes by a vote of 8 to 0.

The original motion to be voted on:

Commissioner Sherman made a motion to approve P.Z. 15-2000 Hayden Homes, Inc. and P.Z. 16-2000 Hayden Homes, Inc. subject to Attachment A. The motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Kodner, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Banks, yes; Chairman Broemmer, yes.

The motion passes by a vote of 8 to 0.

H. **P.Z. 20-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders;** a request for rezoning from "NU" Non-Urban District to "R-4" 7,500 square feet Residence District for a 14.53 acre tract of land located on the southeast side of Olive Boulevard, southwest of Appalachian Trail. (Locator Number 18S 64 0744).

AND

I. **P.Z. 21-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders;** a request for a Planned Environment Unit (PEU) in the "R-4" 7,500 square foot Residence District for the same 14.53 acre tract of land located on the east side of Olive Boulevard, southwest of Appalachian Trail. (Locator Number 18S 64 0744). Proposed Uses:

- Dwellings, single family attached.

Project Planner Paul DeLuca gave an overview of these petitions and asked the Commission if they had additional issues to review.

Commissioner Banks expressed the importance of reviewing the detention.

Commissioner Layton stated that he is concerned how the increased density will fit in with the subdivisions on both sides of the proposed development.

Commissioner Sherman made a motion to hold P.Z. 20-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders and P.Z. 21-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders until all agency comments have been received and all issues addressed. The motion was seconded by Commissioner Banks **and passes by a voice vote of 8 to 0.**

J. **P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders;** a request for a change of zoning from an "MXD" Mixed Use Development District to an "R-3" 10,000 square foot Residence District for 13.3 acres of land located southeast of Olive Boulevard, southwest of Appalachian Trail, and northwest and southeast of Hitchcock Road. (Locator Numbers 18R410843, 18R410771 and 18S640744).

AND

K. **P.Z. 23-2000 Larus Real Estate Partnership and Barnes-Jewish Hospital;** a request for a Conditional Use Permit in an "R-3" 10,000 square foot Residence District for 10.06 acres of land located southeast of Olive Boulevard, southwest of Appalachian Trail. (Locator Number 18R410843).

Proposed Use:

- Nursing home.

Project Planner John Wagner gave an overview of these petitions and asked the Commission if they had additional issues to review.

Commissioner Layton stated that he wanted to know more about what the developer intends to do with lots 3 and 4.

Commissioner Sherman expressed concern about the close proximity of the buildings and restrictions on the side walls and doors on the Fire District comments. She wanted explanation an on what that is about.

Commissioner Layton made a motion to hold P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders and P.Z. 23-2000 Larus Real Estate Partnership and Barnes-Jewish Hospital until all agency comments have been received and all issues addressed. The motion was seconded by Commissioner Sherman **and passes by a voice vote of 8 to 0.**

L. **P.Z. 25-2000 Amburn Homes**; a request for a rezoning from "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for a 3.00 acre tract of land located on the south side of Kehrs Mill Road, east of Blue Hill Road. (Locator Number 21T62-0541, 2707 Kehrs Mill Road).

Ms. Griggs-McElhanon gave an overview of this petition. Ms. Griggs-McElhanon stated that Staff received a letter from the petitioner stating that they have met with some of the neighboring residents and have been looking into the storm water problems. Ms. Griggs-McElhanon asked the Commission if they had additional issues to review.

Commissioner Kodner asked if this would have a turn around or cul-de-sac.

Ms. Griggs-McElhanon stated that since this is a rezoning, only a Preliminary Plan was submitted. That plan showed one (1) total cul-de-sac and one (1) partial cul-de-sac which would give additional frontage to the homes. Ms. Griggs-McElhanon stated that at least one (1) cul-de-sac would be required because this development would not connect to Kehrs Mill Road.

Commissioner Kodner stated that on all cul-de-sacs, he would like to see that, before the streets are poured, the developer put in the necessary piping for sprinkler systems so that the homeowners would not have to do that themselves.

Ms. Price stated this would have to be an amendment to the Subdivision Regulations.

Chairman Broemmer suggested keeping in mind the compatibility of the homes to the neighboring subdivisions.

Ms. Griggs-McElhanon stated that the developer has spoken with Councilmember Scheidt (Ward IV) and he will be looking at different products for this location that are more in keeping with the area.

Commissioner Sherman made a motion to hold P.Z. 25-2000 Amburn Homes until all agency comments have been received and all issues addressed. The motion was seconded by Commissioner Banks **and passes by a voice vote of 8 to 0.**

Commissioner Layton stated that the Commission has become increasingly concerned with voting on new zoning proposals where they do not feel that they have sufficient data to make decisions that are in the best interest of the City of Chesterfield and its residents. Because of past Staff shortages, the Commission has been unable to move forward on certain ordinance changes that the Commission thinks is necessary and has not been able to revisit the Comprehensive Plan to clarify the meaning of the plan with definitions and improved descriptions. The long range effect of the impact of increased traffic in Chesterfield, growing out of some of the rezoning requests, are not quantifiable with data currently available. Useful data may not be available until the end of the year from the current area-wide traffic study. Commissioner Layton stated that to ensure balanced property growth in the City of Chesterfield, he feels that the Commission should consider requesting the City Council to consider voting a moratorium on new zoning to allow for the above items to be addressed.

Commissioner Layton made a motion that the Commission appoint a committee of interested

Commissioner Layton made a motion that the Commission appoint a committee of interested members to meet to draft suggested wording of such a request and to present that wording to the full Commission to be voted on at a date to be determined. The letter should specify as to what restrictions are being requested, for how long and the specific goals that will be addressed during such a moratorium. The motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Kodner, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, no; Commissioner Sherman, yes; Chairman Broemmer, yes.

The motion passes by a vote of 7 to 1.

Chairman Broemmer appointed Commissioner Kodner, Commissioner Layton, Commissioner Macaluso and Commissioner Nolen to the Committee. Commissioner Layton stated that any Commission member is welcome to attend. The meeting will be held Thursday, July 13, 2000 at 4:00 p.m. at City Hall.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

A. **Spirit Trade Center Plat 1, Lots 2 & 3, MOHELA Corporate Office Building**: A Site Development Section Plan, Architectural Elevations, and Landscape Plan. The subject property is zoned "M-3" Planned Industrial District and is located on a 14.3 acre site, in the Spirit Trade Center at the southwest corner of Chesterfield Airport Road and Spirit Drive.

Commissioner Nolen, on behalf of the Site Plan Committee, recommends approval of the Site Development Section Plan, Architectural Elevations and Landscape Plan for **Spirit Trade Center Plat 1, Lots 2 & 3 MOHELA Corporate Office Building.** The motion was seconded by Commissioner Layton **and passes by a voice vote of 8 to 0.**

Commissioner Macaluso amended the motion to add that the lighting fixtures for the parking lot must have flat lenses. The amended motion was seconded by Commissioner Nolen **and passes by a voice vote of 8 to 0.**

B. **Garden View Care Center:** Amended Site Development Concept Plan, a "MXD" Mixed Use Development District. The subject property is located on Chesterfield Point Parkway on the southeast side of Olive Blvd, southwest of Appalachian Trail.

Commissioner Nolen, on behalf of the Site Plan Committee, recommends approval of the Amended Site Development Concept Plan for **Garden View Care Center.** The motion was seconded by Commissioner Banks **and passes by a voice vote of 8 to 0.**

C. **National Education Acceptance Facility – Spirit Trade Center, Lot 18:** a Site Development Plan, Landscape Plan and Architectural Elevations for a 1.38 acre "M-3" Planned Industrial District located on Trade Center Boulevard, south of Chesterfield Airport Road, west of Long Road.

Commissioner Nolen, on behalf of the Site Plan Committee, recommends approval of the Site Development Plan and Architectural Elevations for the **National Education Acceptance Facility – Spirit Trade Center, Lot 18** with the condition that the Landscape Plan will be submitted at a later date, that cross access will be provided as directed by the Department of Public Works and that the appropriate rooftop screening be directed by the Department of Planning. Commissioner Macaluso amended the motion to add that the lighting fixtures for the parking lot must have flat lenses. The amended motion was seconded by Commissioner Kodner **and passes by a voice vote of 8 to 0.**

Ms. Price stated that all parking lot lighting must adhere to the Subdivision Ordinance which is that the average foot candle level must be eight (8) or less.

D. **William H. Jamison, Commercial Service Procedure**: a Site Development Plan and Landscape Plan for a Commercial Service Procedure for a 1.155 acre tract of land located on the south side of Olive Boulevard, west of Westernmill Drive. (Ordinance Number 1628)

Commissioner Nolen, on behalf of the Site Plan Committee, recommends approval of the Site Development Plan and Landscape Plan for the **William H. Jamison, Commercial Service Procedure**. The motion was seconded by Commissioner Macaluso **and passes by a voice vote of 8 to 0.**

Commissioner Right suggested changing the order of the agenda to move VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS to the beginning of the agenda.

Ms. Price stated that the By-Laws set the agenda order. Ms. Price stated that this would go before the Procedures and Planning Committee and will be placed on the Committee agenda.

VIII. COMMITTEE REPORTS:

A. Ordinance Review Committee –

Commissioner Layton will be Chairman. Committee members: Commissioner Macaluso and Commissioner Sherman. A meeting is scheduled for Friday, July 14, 2000 at 2:00 p.m. at City Hall.

B. Architectural Review Committee – No report

C. Site Plan/Landscape Committee – No report

D. Comprehensive Plan Committee –

Commissioner Banks will be Chairman. Committee members are: Commissioner Kodner, Commissioner Layton and Commissioner Nolen. A meeting is scheduled for Monday, July 17, 2000 at 3:00 p.m. at City Hall.

E. Procedures and Planning Committee –

Committee members are: Chairman Broemmer, Vice Chairman Banks and Secretary Sherman. A meeting is scheduled for Thursday, July 13, 2000 at 5:00 p.m.

Commissioner Kodner made a motion to adjourn the meeting. The meeting was unanimously adjourned at 10:56 p.m.

Victoria Sherman

Victoria Sherman, Secretary