

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 22, 1994



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

PRESENT

ABSENT

Mr. Rick Bly
Mr. Fred Broemmer
Mr. Michael Casey
Mr. Dave Dalton
Ms. Mary Domahidy
Mr. Bill Kirchoff
Ms. Linda McCarthy
Ms. Patricia O'Brien
Chairman Barbara McGuinness
Mr. Douglas R. Beach, City Attorney
Councilmember Barry Flachsbart, Council Liaison
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
Ms. Sue Harris, Planning Department Secretary

INVOCATION - Commissioner Michael Casey

PLEDGE OF ALLEGIANCE - All

Chairman McGuinness recognized Councilmember Barry Flachsbart - Council Liaison (Ward I); Councilmember Linda Tilley (Ward IV); Councilmember Colleen Hilbert (Ward I); Councilmember Mike Cullen (Ward IV); and Councilmember Bill Devers (Ward II).

Chairman McGuinness noted a letter was received from Husch & Eppenberger, the attorney for E.M. Harris, requesting their petitions be **held** tonight.

A motion to move **P.Z. 13, 14, 15 & 16-94 E.M. Harris** from the **table and hold** was made by Commissioner Bly. The motion was seconded by Commissioner Casey and **approved** by a voice vote of 9 to 0.

PUBLIC HEARINGS -Commissioner Kirchoff read the "Opening Comments"

A. Update of the City of Chesterfield Comprehensive Plan: Proposed revisions per recommendations of the West Area Study Committee.

Joe Hanke, Planner II, spoke on behalf of the West Area Study Committee, noting the proposed amendments to the City of Chesterfield Comprehensive Plan.

- Recommended amendments are in direct response to the concerns expressed at the April 6, 1994 Public Forum meeting.
- Proposed amendments address, more specifically, appropriate densities in acres per unit in specific geographical locations within the West Area.
- Proposed amendments are to be incorporated within the Residential Development and Support Services Subsection of the Conceptual Land Use Plan Section of the Comprehensive Plan.
- If approved, these guidelines will be utilized in evaluating specific zoning petitions brought before the Planning Commission.
- The Comprehensive Plan (the General Land Use Plan for the City) was adopted by the Chesterfield City Council on March 5, 1990, and several amendments have been adopted since that time.
- The Plan is intended to be flexible, particularly with respect to the distribution of development associated with the proposed retail nodes.
- The amendments proposed focus on "New Residential Development" only. No consideration has been given, at this time, relative to the size, location and configuration of the "Commercial Nodes" or the area designated as "Office Campus."
- As the Committee continues its deliberations, due consideration will be given to the Commercial and Office Campus land uses.
- The Comprehensive Plan currently states that, "New residential development is proposed which generally follows the existing pattern of development which is prevalent in the West Sub-Area. This generally implies low-density, single-family residential (1/2 to 2 acre lots) in this West Sub-Area, with 2+ acre lots north of Wild Horse Creek Road and west of the proposed Office Campus."

Mr. Hanke identified the "Proposed Text Revisions to the Chesterfield Comprehensive Plan" as follows: (proposed revisions are indicated in italics)

CONCEPTUAL LAND USE PLAN

RESIDENTIAL DEVELOPMENT AND SUPPORT SERVICES

New Residential Development - new *single family* residential development is proposed which generally follows the existing pattern of development which is prevalent within the respective West, South, and Northeast Sub-areas. This generally implies low density, single family residential (*1/4 to 2 acre density*) in the West Sub-area, with *2 acre density* north of Wild Horse Creek Road, west of *the northern prolongation of the west corporate limits of the City of Chesterfield south of Wild Horse Creek Road*; *1 acre density* north of Wild Horse Creek Road, east of the *aforesaid 2 acre density area* and west of the proposed "Office Campus"; *1 acre density* south of Wild Horse Creek Road, west of Country Place at Chesterfield subdivision (excluding Westland Acres); *1/2 acre density* north of Wild Horse Creek Road, east of Long Road and west of the site of the proposed First Baptist Church of Chesterfield; *1/2 acre density* south of Wild Horse Creek Road, east of the west line of Country Place at Chesterfield subdivision and west of Caulks Creek; *1 acre density* south of Wild Horse Creek Road, east of Caulks Creek and west of Wilson Road; *1/4 acre density* south of Wild Horse Creek Road, east of Wilson Road and north of Wild Horse Creek Road, west of an area generally bounded by Chesterfield Farms subdivision on the north, east to a line approximately 400 feet west of, and parallel to, Reuther Lane; and, *1 acre density* north of Wild Horse Creek Road, west of the *aforesaid 1/4 acre density area* and east of the west line of the proposed First Baptist Church of Chesterfield. *Special emphasis should be placed on maintaining the rural setting along Wild Horse Creek Road.*

Medium density (*1/4 to 1/2 acre density* in the South Sub-area, with *1/2 to 2 acre density* north of Olive Boulevard. Single family attached and multifamily units are *appropriate* for the eastern portion of the I-64/U.S. 40 Corridor.

Higher density residential uses are also appropriate for selected locations along Highway 340 (Clarkson Road and Olive Boulevard) and near Clayton Road.

- The Map (Study Area) boundaries are slightly different from those delineated in the current Comprehensive Plan. The Department recommends the Commission reconcile these differences by adopting the revised West Sub-Area Boundaries, the result of which removes certain parcels from the South I-64/Highway 40 Corridor, respectively.
- The Guidelines regarding average densities for residential land uses are to be applied to undeveloped or individual parcels with development potential, not already developed subdivisions.

SPEAKERS IN FAVOR -

1. Mr. Mike Stegmann, 12004 Autumn Lakes Drive, Maryland Heights, MO 63044, spoke as an individual noting the following:
 - For about forty (40) years his family has owned approximately fifty (50) acres along Wild Horse Creek Road (approximately 1 1/2 mile east of Long Road, immediately east of Chesterfield Estates).
 - His family supports the West Area Study, as it believes it represents a very good use of the land, consistent with adjacent development.
 - He thanked the West Area Study Group for their work.

SPEAKERS IN OPPOSITION -

1. Mr. Dan Layton, 205 Hi Point, Chesterfield, MO 63005, spoke as a Trustee for Hi Point Subdivision noting the following:
 - Hi Point Subdivision is located on the north side of Wild Horse Creek Road, about 100 yards west of the Chesterfield Village proposals (P.Z. 18, 19 & 20-94) which will be discussed later tonight.
 - He summarized factors which led to the formation of the City of Chesterfield.
 - Chesterfield Farms, often mentioned as a basis to justify continuation of high density residential property into areas zoned on a more restrictive bases, was originally approved by the St. Louis County Council, before Chesterfield incorporated; therefore, it was "grandfathered" in after incorporation.
 - Chesterfield came into being as a protest against high density, commercialization and to allow citizens control of their destiny.
 - The Planning Commission is obligated to control and implement the wishes of the citizens with respect to future development of Chesterfield.
 - He noted responsibility directs the Commission regarding the need for "housing and neighborhood preservation." In addition, the Commission is to determine whether a use is in compliance with the Spirit of the Ordinances.

- The landowners who sold to developers will be gone... the real estate agents, builders and most of the developers will be gone... only the land owners who choose to remain as citizens of Chesterfield will have to live with the decisions made by the City; therefore they should be the ones represented.
- The Wild Horse Creek Road area is an asset to all of Chesterfield, and should be preserved.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Broemmer inquired whether Mr. Layton's group supports or opposes the proposed densities.

Mr. Layton stated they oppose the proposed densities.

Commissioner Kirchoff asked for specific comments regarding reasonable changes Mr. Layton believes appropriate.

Mr. Layton noted that, as a purest, he would like it to remain as it is; however, as a pragmatic, he believes there should be a minimum density of one (1) house per acre on any lot that touches Wild Horse Creek Road, or can be seen from Wild Horse Creek Road. He further noted that, most importantly, there should be absolutely no **commercial development** south of Baxter Road.

Chairman McGuinness read the sign messages from the audience as follows:

- A drawing of a daisy, with the message - "Keep the field in Chesterfield," and "Thou Shall Not Rezone."
- "Please leave room for us" with a drawing of a squirrel and a fox.
- "No 1/4 Acre Zoning"
- "Stop the madness on Wild Horse Creek, vote no to rezone"
- "Rein in unbridled growth on Wild Horse Creek Road"
- "Stop the Rape of Chesterfield"
- "Too many houses bring too much traffic"
- "People need space too - Stop over building now," with a drawing of a duck on a pond.

- A drawing of dollar bills with the message "Chesterfield Sold Out??" "Stop Now!"
 - "Population Explosion leads to Overcrowded Schools, Inferior Education" - "Save Rockwood, Save our Schools"
 - "Wild Horse Creek Road - Chesterfield's Largest Parking Lot," and "George Washington says keep Chesterfield Beautiful"
2. Mr. John Hammond, Walnut Hill Trustee, 1203 Walnut Hill Farm, Chesterfield, MO 63005, spoke on behalf of his subdivision noting the following:
- He showed some transparencies depicting the following:
 - development outstripping roadways/highways
 - original Comprehensive Plan Map
 - high density developments resulting in striping the land, evicting the wildlife, promoting mud slides
 - They prefer a minimum density of one (1) acre+ lots, with minimum grading and tree removal.
 - There are no plans for major arterial roads in the near future.
 - The City should represent citizens, not developers.
 - The restaurants proposed for the 2.5 acre site at Baxter and Wild Horse Creek Road should be rejected. If that six-tenths (0.6) of an acre commercial site must be used for anything, keep it at six-tenths (0.6) of an acre, as anything more than this would set the precedent for more zoning changes along Wild Horse Creek Road.
 - Wild Horse Hills should be developed with larger lots than those proposed.
 - His group is in favor of additional large-lot residential zoning in the West Area, nothing smaller than one (1) acre, and with no commercial areas outside of the zoning approved via the Comprehensive Plan.
 - Chesterfield should consider more stringent building codes.

- Although much campaign money for Councilmembers came from builders, Councilmembers must remember they were elected to represent the citizens of Chesterfield.
3. Mr. Chris Layton, 16809 Wild Horse Creek Road, Chesterfield, MO 63005, spoke as an individual noting the following:
- His property is adjacent to Wild Horse Springs Subdivision, approximately 500 yards from the proposed Chesterfield Village developments.
 - He noted the effects of the proposed development on traffic patterns and congestion along Wild Horse Creek Road.
 - Concern was expressed regarding the speed limit along Wild Horse Creek Road.
 - Along the approximate five (5) mile length of Wild Horse Creek Road:
 - it intersects seven (7) public roads, plus Chesterfield Airport Road and Highway C;
 - there are five (5) schools and/or churches;
 - five (5) commercial properties enter and exit on to Wild Horse Creek Road; and
 - there are 110 single-family driveways.
 - Traffic calculations were given regarding various locations/intersections along Wild Horse Creek Road.
 - Bicycle traffic is not included, but should be considered in future traffic impact studies.
 - MHTD indicates no plans to change the speed limit, nor make any improvements along Wild Horse Creek Road, through the year 2007.
 - During the next fifteen (15) year period, if present development trends continue, there will be a large increase in traffic accidents, injuries and stop and start delays.
 - Chesterfield has no control over the expansion/improvement to Wild Horse Creek Road; therefore the only solution available to Chesterfield is to control the density of any future development, starting immediately.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Broemmer inquired whether Mr. Layton has a recommendation regarding the densities of the proposed Plan.

Mr. Layton noted he believes the absolute minimum lot size should be one (1) house per acre along Wild Horse Creek Road, with some two (2) and three (3) acre lot sizes in the back.

Commissioner Broemmer noted he believes the West Area Study Committee shares this belief, with the exception of the area already under development.

Mr. Layton noted there is still quite a bit of undeveloped land proposed to be developed as 1/4 and 1/2 acre lots. He noted tonight's request is a forty-three (43) acre tract, with four (4) houses per acre.

Commissioner Broemmer asked Mr. Layton what is acceptable with regard to density.

Mr. Layton stated you cannot stop what is already begun; however, the City should not approve densities less than one (1) acre per house.

4. Mr. Doug Zweig, Chesterfield Lakes Subdivision Trustee, 21 Chesterfield Lakes Road, Chesterfield, MO 63005, spoke on behalf of a group noting the following:
 - His family has lived Chesterfield since 1985, and relocated to the West Area approximately five (5) years ago, mainly to reside in the Rockwood School District.
 - Concern was raised regarding the ability of the existing tax base to support the Rockwood schools.
 - A Bond issue will be presented in the Spring of 1995; with the earliest date possible for completion being 1996 or 1997.
 - The proposed development of 160 homes would bring 80 new students to the Chesterfield Elementary School.
 - When you outpace what is affordable, the consequences could be:
 - an increase of temporary structures;
 - higher student/teacher ratio;
 - reduced curriculum;

- increased tax base (building more corporate buildings in the Valley, requiring a 500-Year Levee);
 - public would be asked to pay higher taxes; or
 - redistricting.
5. Leslie Wainwright, 39 Chesterfield Lakes Road, Chesterfield, MO 63005, spoke as an individual noting the following:
- She expressed concern over increased density development with regard to its effect on wildlife, environment and noise.
6. Mr. Theo Korakianitis, 27 Chesterfield Lakes, Chesterfield, MO 63005, spoke on behalf of Chesterfield Lakes Subdivision noting the following:
- He summarized the presentations given by the previous five (5) speakers in opposition.
 - Developers have been presenting piece-meal zoning to get their foot in the door so they may ask for additional development. This procedure should be stopped today.
 - His family was attracted to the West Area of Chesterfield due to larger lot availability, shortening of his driving time to work, the Rockwood School District, and the greenbelt appearance of the area.
 - Town and Country has an ordinance preventing developers from proposing lots of less than one (1) acre per house, and the City of Chesterfield should do the same.
 - The only greenbelt area left in the City is along Wild Horse Creek Road.
 - Various sections of text were read from a Chesterfield Chamber of Commerce brochure noting the availability of residences to meet a diversity of housing needs.
 - It is the responsibility of the City to preserve the greenbelt area beginning now.
 - **Copies** of signed petitions have been presented this evening, and, by October, he will return with signatures of at least 95% of the residents in the area. Trustees will keep the **originals**, and the Commission will see them again and again, as they deem necessary, to preserve the greenbelt area.

- The petitions state the City should not rezone to smaller lots.
- The petitions tonight were signed by residents of the following subdivisions:
 - Chesterfield Lakes
 - Hi Pointe
 - Country Place
 - Chesterfield Estates
 - Chesterfield Meadows
 - Bent Tree
 - Wilson Manor
 - Wilson View Estates
 - Residents along Wild Horse Creek Road [fifty-two (52)] signatures
- The group he represents is opposed to the Conceptual Land Use Plan, and the petitions up this evening for a public hearing (i.e., P.Z. 18, 19 & 20-94).
- The petitions state opposition to all changes to zoning after August 9, 1994, to smaller than existing, or to commercial lots in their part of Chesterfield. They do not state opposition to rezoning to larger than existing, or to going from commercial to residential.
- Copies of petitions from Chesterfield Lakes, a few local residents along Wilson Road, Country Place, Pacland Place, Wilson View Estates, Wilson Manors, Chesterfield Estates, Walnut Hill Farm, Hi Point, and Chesterfield Meadow were given to the Chairman.
- Copies will be turned in after September 30th, with over ninety percent (90%) participation.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Broemmer inquired how Mr. Korakianitis would change the proposed plan.

Mr. Korakianitis noted he would retain the existing subdivisions as they stand, anything zoned "NU" Non-Urban would be developed three (3) acres, or more, nothing less.

Commissioner Broemmer inquired about the areas shown in blue (Chesterfield Estates and Country Place) which are zoned as half-acre lots now.

Mr. Korakianitis noted this has already been grandfathered in, his group is concerned about subsequent zoning requests. The people he represents will come back if petitions for less than one (1) acre lots are submitted to the Commission for public hearing. He further clarified his position that any parcel of one (1) acre to 1.9 acres may only have one (1) house; and parcels of two (2) acres may have two (2) houses.

Commissioner Broemmer requested a little more definition from Mr. Korakianitis.

Mr. Korakianitis noted he would make everything one (1) acre+ residential, (i.e., the orange portion designated as office campus would be one (1) acre residential; the blue that is presently half acre would be one (1) acre+ residential; and the pink would be one (1) acre+ residential).

Commissioner Broemmer noted it is his understanding that the airport noise level is the reason for the location of the "Office Campus" designation on the Plan.

Mr. Korakianitis noted the surrounding areas are just as affected by airport noise. He further noted it is his belief the airport is very noisy north of Wild Horse Creek Road, and this is a problem to be solved by the F.A.A., not the Commission.

Commissioner Broemmer noted the noise level studies shown to the Commission were the basis for the "Office Campus" area depicted on the Plan.

Mr. Korakianitis noted the areas indicated as yellow, orange, green, pink and blue should be one (1) acre+, with the exception of the areas already developed and grandfathered in.

7. Mr. Frank P. Puleo, 17110 Surrey View Drive, Chesterfield, MO 63005, spoke on behalf of Country Place Subdivision noting the following:

- At the July 15th Planning Commission meeting, Mr. Smith, the attorney for the E.M. Harris Company, was in error in saying that the Trustees of Country Place had been contacted regarding that development.

Chairman McGuinness noted this item needs to be addressed during the "Public Comment" portion of the meeting.

Mr. Puleo noted the following:

- A moratorium was supposed to be in place that was agreed to by Mr. Duepner, Linda Tilley and Dick Hrabko. Then Mr. Puleo became aware that the City Attorney said it was illegal to have a moratorium and, if we imposed a moratorium, the City could be sued by builders.

- He believes there is a breach of public trust, questioning whether the City is catering to special interest or cares about the residents of the area.

Commissioner McGuinness noted she would call upon Mr. Puleo during the "Public Comment" portion of the meeting.

8. Mr. Vance V. Vaughan, 17715 Birch Leaf Court, Chesterfield, MO 63005, spoke on behalf of Wildhorse Subdivision noting the following:
 - He noted his subdivision sent copies of their petition directly to the Planning Commission members.
 - Concern was expressed regarding the "Office Campus" designation on the Plan.
 - A school zone should not be mixed with an office complex.
 - An office complex usually requires support facilities (i.e., banks, cleaners, restaurants, etc.).
 - Since this property is not deemed suitable for residential, there is nothing in that area close to being an office complex or commercial; therefore this parcel could be dedicated for use as a middle school to be located across the street from the existing Chesterfield Elementary School, which is already overcrowded.
 - An office campus would not fit in the recommended area. There could be no continuity in this type of usage.

SPEAKERS - NEUTRAL

1. Mr. Don Bowers, 17531 Wild Horse Creek Road, Chesterfield, MO 63005, spoke as an individual noting the following:
 - Wild Horse Creek Road is an asset to the City.
 - The speed limit should be lowered from 50 mph to 40 mph.
 - Most of the stormwater problems in Chesterfield could be avoided if looked at prior to development. Therefore, before the Master Plan goes to press, he would like the stormwater drainage problem addressed.
 - He offered to speak with anyone about the technical aspects of the noise from the airport.

- His property is located between the railroad tracks and Wild Horse Creek Road, and airport noise is a problem there.
- The "Office Campus" area was originally designated because of noise. The noise profile is quite complex.
- As a real estate professional, he feels it is not realistic to designate this parcel as "Office Campus." It is unlikely that over two-hundred (200) acres of offices will be built over a one and one-half mile area along Wild Horse Creek Road, without restaurants, filling stations, banks, etc.
- A great portion of the property designated as "Office Campus" is suitable for residential.

Chairman McGuinness inquired what Mr. Bowers thinks of Mr. Vaughan's school idea.

Mr. Bowers stated that, if its too noisy for houses, its too noisy for schools. He further noted the School District recently sold property in the area which now consists of a residential area with one-quarter acre lots.

2. Mr. Harvey R. Fields, Jr., 17200 Church Road, Chesterfield, MO 63005, spoke on behalf of Westland Acres Development Association and as Pastor of the Union Baptist Church of Chesterfield.
 - The group he represents, (including Mr. Clifford Frazier) is neutral regarding the to West Area Study Proposal, pending resolution of the Westland Acres portion of that Study.
 - They are pleased with the progress of the engineering study to determine the infrastructure needs in the area.
 - They are pleased with the cooperation of St. Louis County and the City of Chesterfield in funding the engineering study, inviting the landowners and residents to be involved, and initiating the process.
 - They are pleased, at this point, that the specific portion of Westland Acres located within the City of Chesterfield has been assigned an exempt status for these proceedings, pending completion of the engineering studies and analysis of its alignment with a comprehensive, affordable housing plan.

- They want to continue to preserve the rights and privilege of the landowners and residents of Westland Acres Community and, in some cases, the citizens of Chesterfield, so they have an opportunity to directly impact the future development of their community. They have a long history of residency, land ownership, and occupancy in the area.
- They desire a community where African Americans and others can live together, which offers additional levels of affordable housing in West St. Louis County.
- They agree that land development must be choiceful and well engineered. Community impacts must be evaluated with particular consideration given to congestion, quality of life, tax burdens, education, and other such substantive issues. However, they believe the concerns of Clifford Frazier, the principal land owner, and the other Westland Acre Development group owners and residents can be accommodated without a deleterious and/or detrimental impact on the overall City of Chesterfield's style and quality of life. In addition, they believe that supporting their goals will provide to the City of Chesterfield a strong positive image (i.e., promoting and supporting the development of a unique community - Westland Acres) by strategically accommodating the needs for additional affordable housing in West St. Louis County.
- They solicit support from the community for the Westland Acres Study, with respect to the efforts of the landowners, residents and citizens, to be allowed to see the area developed and maintain the ability to remain in the area, not be victims of development.

SPEAKERS IN OPPOSITION (continued)

9. Ms. Maryanne Ellison Simmons, P.O. Box 26, Chesterfield, MO 63006, spoke on behalf of the West Chesterfield Citizens for Responsible Development.
 - She is a resident of Unincorporated St. Louis County.
 - Concern was expressed about traffic congestion and poor conditions of roadways.
 - Money generated from new developments to the TGA (Traffic Generation Assessment) Funds will not be sufficient to improve roadways.
 - The entire length of the north side Wild Horse Creek Road is impacted by the highest noise level of the airport.
 - Concern was expressed about the possibility of law suits resulting from negligence by the City in protecting land from being damaged by water runoff, flooding, etc.

- Land owners can make more money developing at three (3) acres, rather than by listening to fast-talking, quarter acre artists.
 - She encouraged all land owners to hold on to their original petitions until litigation begins.
 - She read statistics obtained from the School Board presentation of Dennis Peterson, Superintendent of Rockwood School District, and gave this as a handout to the Commission.
 - The 3,000+ homes that have already been approved by Chesterfield for the eastern end of Wild Horse Creek Road will generate an annual net loss of \$3,162,000 to the Rockwood School District (assuming each home generates .6 students). This represents the operating cost to the district, not the capital cost of much needed new schools.
 - She expressed concern that the City is preparing to pass a TIF (Tax Increment Financing) ordinance that will freeze assessed valuation contributions to Rockwood School District.
 - Larger lots generate higher sales prices, more tax revenue, and fewer students.
10. Mr. Russ Rosener, 18999 Wild Horse Creek Road, Chesterfield, MO 63005, spoke as an individual.
- He is a developer of three (3) acre home sites, and would like to see this come back to the area.
 - He is opposed to commercial buildings on Wild Horse Creek Road.
 - He would prefer three (3) acre lots near the front of Wild Horse Creek Road.

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

**SHOW OF HANDS - Update of the City of Chesterfield Comprehensive Plan:
Proposed revisions per recommendations of the West
Area Study Committee.**

In Favor: 1 In Opposition: 181 Neutral: 3

Chairman McGuinness recessed the meeting at 9:25 p.m.

Chairman McGuinness reconvened the meeting at 9:40 p.m.

- B. **P.Z. 18-94 Chesterfield Village, Inc., Louis S. Sachs and Nancy R. Sachs (Wildhorse Hills)**; a request for a change in zoning from "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for a 46.3 acre tract of land located approximately 1,050 feet west of the intersection of Wild Horse Creek Road (State Highway CC) and Baxter Road Extension (Locator Numbers 18T51-0118 and 18T23-0069 and portions of Locator Numbers 18T51-0020 and 18T52-0018);

and,

P.Z. 19-94 Chesterfield Village, Inc., Louis S. Sachs and Nancy R. Sachs (Wildhorse Hills); a request for a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District for the same 46.3 acre tract of land located approximately 1,050 feet west of the intersection of Wild Horse Creek Road (State Highway CC) and Baxter Road Extension. (Locator Numbers 18T51-0118 and 18T23-0069 and portions of Locator Numbers 18T51-0020 and 18T52-0018). Proposed Use: Single-Family Dwellings.

Chairman McGuinness summarized the "Opening Comments" for a public hearing.

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

Mr. Al Michenfelder spoke on behalf of the petitioners noting the following:

- The location of the subject site was pointed out on the West Area Study Map, and it was noted that it is not located within the Study area.
- The request is to rezone from "NU" Non-Urban to "R-3" 10,000 square foot Residence District for 154 single family lots; however, the maximum density which would be allowed are 179 lots.
- The zoning of the subject site and surrounding areas were identified.
- Two (2) entrances to Wild Horse Creek Road are proposed, with a total frontage along Wild Horse Creek Road of 1,300 feet.

- The two (2) main streets within the subdivision do not connect: the western street will have a connection with Woodcliffe at the southwest portion (giving Woodcliffe another access out); and the eastern street will have an access point down at the lower, or southeastern portion, through the adjacent "R-5" development, reaching Baxter Road.
- Two (2) detention areas are proposed. Stormwater comes from the north side of Wild Horse Creek Road, flows underneath the road, across the tract, and the bulk of it will be picked-up in a stormwater system in place in Woodcliffe, to the southwest. A small portion of the property drains to the east.
- The two detention basins are intended to be dry basins, filling-up only following a rainstorm.
- Mr. Fred Kemp will be the developer of the project.
- The price range of the proposed houses will be between \$275,000 and \$325,000.
- A wide variety of housing styles will be offered.
- What is being proposed for this project is abundantly supported by what has happened and what exists surrounding the property.
- The proposed development represents orderly comprehensive planning, not a process which leaves behind any kind of planning concept of planning chronology.
- The subject property was not part of the Chesterfield Village holdings in 1971, and has since been acquired. It is immediately adjacent to property which was part of the original zoning of "R-5" Residence District.
- The proposed plan is totally consistent with the progress of development and planning for the Chesterfield Village area, and now the City of Chesterfield; it reflects the City's Comprehensive Plan today (i.e., multi-family on the east and south, single-family for Wildhorse Hills), and reflects the reality of development.

Chairman McGuinness asked how the developer would respond to the wishes expressed tonight, in that they do not like the pattern proposed.

Mr. Michenfelder noted he has already responded to that. He further noted that the wishes of the people are important, but the wishes of the people should not be followed in disregard of sound planning principles; and the City will not benefit, in the long-run, if sound planning principles established in the past are totally disregarded.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Dalton asked why this couldn't be developed into a one (1) acre zoned parcel.

Mr. Michenfelder noted that, physically, there is no reason why it could not be developed as such; but, he suggested there is no way to support "R-1" on this property except to say "I want it."

Commissioner Dalton inquired whether a traffic study has been performed.

Mr. Michenfelder replied a traffic study has not yet been performed, nor have comments been received to date from St. Louis County Department of Highways and Traffic or the City of Chesterfield requesting such a study. He noted that, if desired, the petitioner would supply a study.

Commissioner Dalton inquired when this development would take place.

Mr. Michenfelder indicated it would be very soon.

Commissioner O'Brien inquired about the minimum lot size, setbacks, etc.

Mr. Michenfelder noted the minimum lot size proposed on the plan is 7500 square feet, the largest lot will be 9000 square feet, and the average lot will be 7900 square feet.

Commissioner O'Brien inquired about the square footage of the homes.

Mr. Michenfelder noted that Mr. Kemp stated the homes will range in size from 2500 to 3500 square feet.

Mr. Krull stated the setbacks will be twenty (20) to twenty-five (25) feet from the front building line, depending on whether the right-of-way is forty (40) feet or fifty (50) feet; the side yard setbacks would be six (6) feet.

Commissioner Domahidy inquired about the existing stormwater problems in that area.

Mr. Krull noted that a small amount (east central) goes into the Chesterfield Village area, the balance of it comes from the south, goes north to Wild Horse Creek Road, but does not cross it, turns around it and comes back to the southwest. The major drainage from this site is water taken from the site to the Woodcliffe development, where there is a large storm sewer designed for Woodcliffe. In addition to this, the subject development will have its own retention facilities. The stormwater has been, and will continue to be studied.

Commissioner Dalton asked Staff about the size of the lots in Wildhorse Springs.

Director Duepner noted the minimum lot size in the Wildhorse Springs development is 12,000 square feet. He further noted they had originally requested "R-3" Residence District, but "R-2" Residence District was approved.

Commissioner Dalton asked what the minimum lot size is in Woodcliffe.

Director Duepner noted it was approximately 7900 to 8000 square feet.

Commissioner Dalton asked what the minimum lot size is in Chesterfield Farms.

Director Duepner noted he will check and advise.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION

1. Mr. Theo Korakianitis, 27 Chesterfield Lakes, Chesterfield, MO 63005, spoke on behalf of Chesterfield Lakes Subdivision.
 - He noted the earlier presentations represented the West Area Study, P.Z. 18 & 19-94, P.Z. 20-94, PZ - whatever, and any requests for zoning of less than one (1) acre lots.
 - He read into the record that the speakers who addressed the Commission earlier would like their comments to apply to this petition as well. The following speakers responded they wished their comments to be restated and reiterated:
 - Dan Layton
 - John Hammond
 - Chris Layton
 - Doug Zweig
 - Leslie Wainwright
 - Developers should go back and return with one (1) acre+ lots.
 - There is no grading or order in this land, we do what is convenient, expedient, what makes sense; but this development does not make sense.

- The builder should:
 - define what will be in between the subdivision and Wild Horse Creek Road, as residents are concerned that what is shown as common ground today may later be used for utility lines, right-of-way dedications, etc.
 - be required to do a tree count on the lot before clearing begins (i.e., how many will remain, how many will be taken out, how many new ones will be planted).
 - give the status of existing single-family homes along Wild Horse Creek Road, with regard to possible future plans to rezone.
 - be required to contribute to the Rockwood School District and Highway Department for developments along Wild Horse Creek Road to take out the new density on one acre+ lots.
2. Mr. Jerry L. Barton, 16635 Wild Horse Creek Road, Chesterfield, MO 63005, spoke as an individual.
- He lives across the street from the proposed development, and is highly opposed to it.
 - Traffic is already dangerous on Wild Horse Creek Road, additional development will add to this problem.
 - He prefers three (3) acre development, but would support one (1) acre zoning.
3. Mr. Vance V. Vaughan, 17715 Birch Leaf Court, Chesterfield, MO 63005, spoke on behalf of Wildhorse Subdivision.
- He gave a handout to the Commission depicting the number of trees that will remain after development (i.e., six (6) trees will remain).
 - Chesterfield Farms traffic is dumped out on Baxter, and it is going to be controlled by a traffic light before entering Wild Horse Creek. Since the proposed property cannot do this, he does not see how this density can be safely dumped out on to Wild Horse Creek Road so close to that busy intersection.
4. Mary Anne Simmons, P.O. Box 26, Chesterfield, MO 63006, spoke on behalf of the Chesterfield Citizens for Responsible Development.
- She noted her remarks about the Comprehensive Plan stand, as relevant to this site.

- The proposed development, in her opinion, is reflective of domino (lazy) zoning, and is no longer valid.
 - One (1) acre per housing unit is transitional in the sense of its most useful meaning - diversity.
 - Concern was expressed about the existing detention system, overflowing creeks (Bonhomme and Caulks), erosion problems, and other stormwater-related issues.
 - She noted the Jones Company development near her property is going to be a disaster area during the big rains.
 - If homes are sold for \$200,000, producing .60 students per unit, this would result in an annual cost of \$162,000 to Rockwood School District.
5. Mr John W. Hammond, 1703 Walnut Hill Farm, Chesterfield, MO 63005, spoke on behalf of Walnut Hill Farm Subdivision.
- He wanted to augment his previous remarks.
 - Residential development is consistent with the Comprehensive Plan, but is not restricted to "R-3" Zoning.
 - Concern was raised regarding Woodcliffe detention; it has been washed-out several times; re-designed several times; and has washed mud across Wilson Road and Wild Horse Creek Road. He noted detention is still being worked on, patch work performed, and a disaster area still exists.
 - Traffic from the proposed development would have to go through the funnel at Chesterfield Airport Road to access the Highway.
 - Walnut Hill just spent \$75,000 on their own bridge to compensate for the stormwater coming down from the creek. He believes water from the proposed development could add to existing water problems in this area.

REBUTTAL

Chairman McGuinness summarized rebuttal items as follows:

- We have a serious disagreement between the developer and people in the room about density.
- The pattern of development is not what they want to see.

- The Baxter Extension, let alone this development, will create more traffic.
- What about the trees?
- Chesterfield Farms density.
- Domino planning, lazy planning.
- One (1) acre can also be transitional.
- Stormwater runoff on adjacent properties.
- Homogenized same old development.
- Where is the diversity?
- Stormwater into Woodcliffe
- Proposed development is not consistent with the Comprehensive Plan.

Mr. Korakianitis inquired about the effect of utility lines on trees along Wild Horse Creek Road, and what will subdivision look like after development.

Mr. Al Michenfelder replied as follows:

- The two (2) areas on the property that have substantial tree growth are slated for common land, as shown on the site plan. Most of the property does not contain high quality trees; however, there is no count. The bulk of existing trees will be saved.

Mr. Tom Krull replied as follows regarding stormwater:

- The proposed development will not affect detention of adjacent development, as it will have an independent system.
- The storm sewer provided through the proposed development bypasses the retention area. The retention area dumps into it. Absolutely no water from the proposed development will go into adjacent development's retention area.

Mr. Michenfelder noted the following:

- Until you get into the actual development stage, the final development plan and engineering of stormwater control are not completed. This will be completed under the supervision of the City and MSD.

- As growth occurs, school districts act accordingly (i.e., additional schools, redistricting, etc.).
- School sites have been dedicated at part of the Chesterfield Village Plan.
- This subdivision will have two (2) entrances on Wild Horse Creek Road and one (1) entrance on Baxter Road, through the "R-5" District on the east.
- Baxter Road is a major arterial, and the Extension of Baxter Road to Wild Horse Creek Road is being done by Chesterfield Village, at its expense. This will extend to Chesterfield Airport Road. Baxter Road will ultimately be widened to five (5) lanes.
- The developer does not believe traffic from the addition of 154 houses will unduly burden Wild Horse Creek Road.
- The developer will provide a traffic study if the Commission so desires.
- The developer is asking the Commission to follow the lead of what has gone before, and is evident from past zoning in the current Comprehensive Plan and the West Area Study.

Chairman McGuinness noted we have a philosophical difference that cannot be solved this evening.

Commissioner McCarthy inquired about the effect utilities will have on the tree line along Wild Horse Creek Parkway. In addition, she indicated the desire of residents to see tree lines protected from all future developments.

Mr. Krull noted the following:

- The developer will adhere to the dedication of additional right-of-way along Wild Horse Creek Road, as will be required for future improvements.
- The trees scattered along the old property line will be in state right-of-way, and they will be removed. The developer has no control over this procedure.
- The developer is proposing a thirty (30) foot landscape buffer behind this right-of-way, which will be planted per specific guidelines of the City.
- There will be easements crossing this thirty (30) foot buffer, at time to time, for utility lines. It would be impossible to replace the larger existing trees with trees of the same size; however, there is a lot of open ground on the subject tract.

Commissioner Kirchoff read the next portion of the "Opening Comments."

SHOW OF HANDS - P.Z. 18 & 19-94 Chesterfield Village, Inc., Louis S. Sachs and Nancy R. Sachs.

In Favor: 8 In Opposition: 68 Neutral: 1

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

Commissioner Domahidy left the meeting at this time.

- C. **P.Z. 20-94 Chesterfield Village, Inc. (Wildhorse/Baxter Center)**; a request for a change in zoning from "NU" Non-Urban District to "C-8" Planned Commercial District for a 0.6 acre tract of land and an Amendment of a "C-8" Planned Commercial District established by St. Louis County Ordinance Number 13,759 for a 2.5 acre tract of land located at the southwest corner of the intersection of Wild Horse Creek Road (State Highway CC) and Baxter Road Extension. (Portions of Locator Numbers 18T52-0052, 18T54-0126 and 18T52-0018) Proposed Use: All those uses permitted in the "C-6" Office District and "C-2" Shopping District regulations without a Conditional Use Permit, except as follows: a) no advertising signs; b) drive-thru facilities in association with a financial institution may be permitted.

Joe Hanke, Planner II, gave a slide presentation of the subject parcel and surrounding area.

Mr. Al Michenfelder spoke on behalf of the petitioners noting the following:

- The request is to add six-tenths (0.6) of an acre currently zoned "NU" Non-Urban, on the south side of Wild Horse Creek Road, immediately west of an existing commercial area of 13.9 acres.
- The about-to-be completed Baxter Road will go through the commercial property.
- St. Louis County approved the Chesterfield Village Plan in 1971. In addition to the major commercial area of Chesterfield Mall and the office areas, a number of neighborhood shopping centers were depicted. There was such a shopping center shown on Wild Horse Creek Road at this proposed location.

- In 1988, the St. Louis County Council enacted an ordinance amending that Plan to increase the size to 13.9 acres. The uses permitted, which the developer is not proposing to change this evening, are "C-6" Office District, "C-2" Retail District without Conditional Use Permits, prohibiting advertising signs and permitting a drive-thru only for a financial institution.
- The specific size of the center has been limited in the ordinance in terms of the kind of development it can be: a maximum of 90,000 square feet of office permitted; a maximum of 44,000 square feet of retail permitted; and a maximum of 13,000 square feet of restaurant use. That restaurant use is demonstrated on the site plan approved at that time, on this two and one-half (2 1/2) acre tract which lies to the west of Baxter Road.
- The purpose of the requested addition is to square it off with Wild Horse Creek Road, and provide required parking and buffers to the west and south.
- The buffers along the west side are thirty (30) feet wide, as required by its governing ordinance; the buffers on the south are between fifteen (15) and ten (10) feet, according to that same ordinance.
- The point of access is to Baxter Road, as far to the south as is practical, and does not show access to Wild Horse Creek Road; however, St. Louis County comments may require a specific entrance to Wild Horse Creek Road for this property.
- The proposed plan is for two (2) restaurants, 6500 square feet each, to be full service, sit down restaurants, with no drive-thru requested.
- It is not possible, at this time, to identify what the restaurants will be.
- It is anticipated development of this property will take place along with development of the remainder of the site.
- The proposal is to augment a long-standing tract of land which the developer believes, with the completion of the Extension of Baxter Road and the Interchange with Wild Horse Creek Road (controlled by electric signals), will undoubtedly spur interest in development of this property for commercial purposes, in keeping with the permitted uses outlined in the ordinance.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Dalton inquired when the proposed restaurants would be built.

Mr. Michenfelder stated it is not possible to predict at this time, except that, with the completion of the Baxter Road Interchange, they believe people will want to see this property developed.

Commissioner Dalton inquired about any plan for the balance of the center, particularly with regard to the traffic flow.

Mr. Michenfelder noted they do not have a copy of the balance of the center this evening; however, they can furnish this to the Commission.

Commissioner Dalton inquired about development to the north, east and west, as far as the Intersection.

Mr. Michenfelder noted there is a pending application before the City, filed one (1) week ago, for 23.7 acres of the "R-5" District to be developed for multi-family purposes. In connection with that, they are requesting the subject parcel between Wild Horse Hills and the proposed commercial be added to the "R-5" to give it access to Wild Horse Creek Road. He is not aware of any plans for the property owned by Chesterfield Village on the east side of Baxter Road, other than the existing zoning which includes "R-8" and "R-5."

Commissioner Dalton inquired about property owned by Chesterfield Village on the north of Wild Horse Creek Road.

Mr. Michenfelder noted that section lying to the east of the Extension of Baxter Road is owned by Chesterfield Village, and is approved under the recent zoning for Chesterfield Farms for multi-family use. He noted an athletic facility is being considered for this area.

Commissioner Dalton noted an athletic facility at that location doesn't follow the Master Plan for the area.

Mr. Michenfelder noted it might require some modification of the existing zoning for it to occur.

Commissioner Dalton inquired about the effects of the proposed restaurants on existing tree masses, as he noted some trees have been cut down in that area.

Mr. Michenfelder noted this is due to the required widening of Baxter Road Extension.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION -

1. Mr. Theo Korakianitis, 27 Chesterfield Lakes, Chesterfield, MO 63005, spoke on behalf of Chesterfield Lakes Subdivision.
 - He reminded the Commission about the huge presentation made earlier in which residents opposed the West Area Study, and P.Z. 18, 19 and 20-94.
 - They don't want anything rezoned smaller than existing, or to commercial lots.

Mr. Don Layton indicated he would like his earlier comments to be repeated for this petition.

Chairman McGuinness waived the rules for the following comments from the audience.

Mr. John Hammond stated he would also like to repeat everything he said earlier.

Mr. Chris Layton stated he would also like to repeat everything he said earlier.

Mr. Doug Zweig stated he would also like to repeat everything he said earlier. He further noted that, if this becomes commercial, traffic will be adversely impacted.

Leslie Wainwright stated she would like to repeat everything she said earlier, and more.

Mr. Korakianitis stated he would like to complete all his concluding remarks from the previous presentation, and remind the Commission that developers will put their foot in the door, and come back again and again.

- Requested clarification of P.Z. 20-94.
- He would like the area to be left as green space.
- If you must put something commercial on the subject property, a drive-thru ATM Machine would be the least intrusive use, and be more beneficial to the residents.
- Concern was expressed that the restaurants could change hands in the future, thus opening the door for the possibility of a drive-thru type use.
- Concern was expressed that Baxter Road may begin to look like Manchester Road.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Bly inquired about possible tax consequences to the school district from a commercial property, as opposed to residential.

Mr. Korakianitis noted he believed two (2) restaurants would make a minuscule contribution, but, contrary to that they would bring traffic congestion and the toe hold for commercial development in the area. He further noted that he has no concrete figures on this impact.

Commissioner Kirchoff inquired what Mr. Korakianitis believes should be developed at the proposed site.

Mr. Korakianitis noted his choices would be: 1) it be left green, undeveloped; 2) developed as one (1) acre residential; or 3) if commercial, to be an ATM Machine.

2. Mr. Vance V. Vaughan, 17715 Birch Leaf Court, Chesterfield, MO 63005, spoke as an individual.

- He would like one (1) restaurant, not two (2) restaurants.
- Concern was expressed about the number of restaurants in the area.
- Concern was expressed about serving alcoholic beverages in a school district area.
- He inquired whether the types of structures could be restricted, if approved for restaurants, so they would be architecturally compatible with surrounding area.

3. Mr. Russ Rosener, 18999 Wild Horse Creek Road, Chesterfield, MO 63005, had already left the meeting.

4. Ms. Maryanne Simmons, P.O. Box 26, Chesterfield, MO 63006, spoke on behalf of West Chesterfield Citizens for Responsible Development.

- She inquired about other possible uses for this zoning, and expressed concern about past zoning not being developed for a long period of time.
- Concern was also expressed regarding possible change in use of the property in the future, i.e., Schnucks, Dierbergs, HQ, etc.
- Concern about traffic generation was expressed, as she believes the State and County Highway Departments have indicated no changes in the near future.

- Concern was expressed that a destination is being created without a needed traffic pattern flow.
 - Until the traffic pattern changes, she believes no further development should occur in this area.
5. Christian Tempras, P.O. Box 585, Chesterfield, MO 63006, had left the meeting.
 6. Mr. Dan Layton, 205 Hi Point, Chesterfield, MO 63005, spoke on behalf of Hi Point Subdivision.
 - He read the permitted uses in the "C-2" Shopping District Regulations.
 - The restaurant business has the highest failure rate of any other type of business.
 - He does not want to see commercial development south of Baxter Road.
 - Clarification of the wording of P.Z. 20-94 was requested.

Director Duepner noted the following

- The 2.5 acre tract is currently zoned "C-8" Planned Commercial District.
- The petitioner is seeking the rezoning of the .6 acre tract, and to incorporate that into the 2.5 acre tract, thereby making it a total of 3.1 acres zoned "C-8."
- The uses approved for the 2.5 acre tract are being requested for the expanded 3.1 acre tract.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Bly inquired regarding permissible uses for the property, as the property is currently zoned and sized, without the requested addition.

Director Duepner noted the petitioner is not asking for uses other than those already allowable on the site at this time.

REBUTTAL

Chairman McGuinness summarized the issues to be addressed by the petitioner as follows:

- The drive-thru ATM Machine request.
- Why not one (1) restaurant instead of two (2)?
- Architectural restrictions for proposed structures.
- Alcoholic beverages in school zone.
- Assure people there will be no fast food restaurants.
- Renderings for proposed restaurants.

Mr. Michenfelder noted the following:

- There are very few details he can give tonight in terms of the remainder of the center, which has not been planned beyond the permitted uses already defined.
- The present uses would only permit a drive-thru facility in association with a financial institution.
- He believes that it is likely that one (1) of the two (2) restaurants proposed would serve alcohol, maybe both.
- An ATM Machine would be associated with a financial institution, if one occurs; however, whether or not this will be the case is not known at this time.
- In 1988, for reasons no one now can really be sure of, a 13,000 square foot restaurant use was approved in a single building. Since there are not too many restaurants of that size, they are proposing two (2) 6500 square foot buildings.

Commissioner Kirchoff read the next portion of the "Opening Comments."

SHOW OF HANDS - P.Z. 20-94 Chesterfield Village, Inc. (Wildhorse/Baxter Center).

In Favor: 7 In Opposition: 54 Neutral: 0

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

APPROVAL OF THE MINUTES

Commissioner Bly made a motion to approve the minutes from the meeting of July 25, 1994. The motion was seconded by Commissioner McCarthy and passed by a voice vote of 8 to 0.

PUBLIC COMMENTS

1. Mr. Irv Fries, 38 Chesterfield Lakes Road, Chesterfield, MO 63005, spoke on behalf of **Public Safety**.
 - Developers and builders working along our city streets and state highways, leave mud on the roads, causing a serious problem for motorists.
 - He requested the City to require developers to clean those streets where their trucks exit from the property.
 - Developers are careless with regard to barricades when they work along the roads, making it dangerous for the workers and traffic.

Councilmember Flachsbart requested this portion of the minutes be transmitted to the Public Health and Safety Committee of Council and the Public Works/Parks Committee of Council for their consideration.

2. Mr. Robert L. Ernst, 15940 Woodlet Way Court, Chesterfield, MO 63017, spoke on **Westland Acres**.
 - He received a request three (3) weeks ago from the St. Louis County Housing Authority that Requests for Proposals (RFP's) be made for affordable housing in part of Chesterfield and in Unincorporated St. Louis County.
 - Affordable Housing is a term defined by HUD as housing that is affordable to a family of four (4), (i.e., in the St. Louis area with an income below \$30,000).
 - This housing translates into homes valued at \$60,000 to \$70,000.
 - He inquired what the City of Chesterfield has done to study this area, or what studies are underway.

Director Duepner noted the following:

- The St. Louis County Office of Community Development has sent out RFP's to consulting firms for a Feasibility Study of Affordable Housing in the community known as Westland Acres.
- The City has agreed to contribute some of its Community Block Grant Funds to that Study.
- Proposals are due back in to the St. Louis County Office of Community Development the first part of next month.

Chairman McGuinness inquired of the intent of Mr. Ernst tonight.

Mr. Ernst noted the following:

- The RFP is a request for engineering feasibility and economic feasibility.
- There are some ancillary things, but they are not basically treated as substantive issues.
- He questioned whether the Commission has, or will, study the impact of this situation in that portion of Chesterfield.

Director Duepner noted the following:

- At this point, there is nothing being presented to the Planning Commission.
- First, proposals would be submitted to the County Office of Community Development where they would be evaluated, and consideration given to awarding a contract for the Feasibility Study.
- Mr. Fields addressed the Commission on this matter earlier this evening.
- If there is a study performed, the Planning Commission will be apprised of it.
- This has been discussed with the West Area Study Committee, and is one of the reasons why that area has been excluded from the Study at this point and time.

3. Mr. Fred Hale, 34 Waterman Place, St. Louis, MO 63112, spoke on behalf of **P.Z. 12-94 Carl R. Tisone (Indoor Golf Driving Range)**.
 - The petitioner is in agreement with the conditions in the Department's report, with the slight exception of the footprint of the building (i.e., it is shown as 45,000 square feet, and they would like to ask that be viewed as 60,000 square feet to enable them the flexibility to build a structure of adequate size).

4. Mr. Larry Milles, Robert L. Boland, Inc., 550 Maryville Center, St. Louis, MO 63141, spoke on behalf of **P.Z. 17-94 Micaela Kennedy (Kennedy Farms Equestrian Center)**.
 - He restated their intent is to develop the property in two (2) phases: the first phase being to occupy the existing structures; and the second phase being the construction of the new barn (viewing area), etc., that was presented to the Commission previously.
 - With regard to the conditions reviewed with Staff
 - He wanted to clarify the Deep Forest Drive will be widened to twenty (20) feet.
 - The road widening consists initially of rock base, until the new structures are built.
 - He requested the Planning Commission to adjust the requirement for a side yard setback from one-hundred (100) feet to fifty (50) feet, due to the topography of the site (i.e., flood plain, location of existing buildings preclude any new structures unless this type of variation be granted).

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.

Commissioner Bly made a motion to take this item **off the table** so the Planning Department may consider it and bring it to the Commission at it at its next meeting. The motion was seconded by Commissioner O'Brien and **passed by a voice vote of 7 to 0**.

Commissioner O'Brien made a motion to hold this item. The motion was seconded by Commissioner Bly and **passed by a voice vote of 7 to 0.**

Commissioner O'Brien left the meeting at this time.

- B. **P.Z. 12-94 Carl R. Tisone (Indoor Golf Driving Range)**; Conditional Use Permit (CUP) in "NU" Non-Urban District; north side of North Outer Forty Road, east of Boones Crossing Road and North Outer Forty.

Toni Hunt, Planner I, summarized the request and *submitted conditions contained in Attachment A, as directed by the Planning Commission.* [REVISED 9/12/94]

COMMENTS/DISCUSSION BY COMMISSION

- The original request was for a 45,000 square foot building.

Commissioner Bly made a motion to **suspend the rules to allow Mr. Hale to speak.** The motion was seconded by Commissioner Kirchoff and **passed by a voice vote of 7 to 0.**

Mr. Hale noted the following:

- The maximum request would be for 60,000 square feet within the envelope to give a little more flexibility.
- Due to the time frame of the project, an architectural error was made on their drawings (i.e., changing of the shape of the dome, and rearranging of the site plan).
- They were originally going to tie this structure in with the ice arena; however, it was suggested they change the shape and have it come out as a separate structure. As a result, the original size of the dome was laid into the site plan. It was a combination of the architect doing it, their error in not catching it, and then a principal member being out of town and unable to review the plan.

Commissioner Bly inquired about the minimum setbacks.

Toni Hunt, Planner I, noted the front setback would be fifty (50) feet; the sides would be twenty (20) feet; and there is also a requirement that any structure exceeding thirty (30) feet in height shall be set back from all property lines at least one (1) additional foot for every foot of height above the thirty (30) feet.

Commissioner Broemmer asked if the addition to 60,000 square feet would present a parking problem.

Toni Hunt replied she hasn't seen a site plan.

Commissioner Casey made a motion to **approve** the Department's report. **The motion dies for lack of a second.**

Commissioner Broemmer made a motion to increase the square footage to 60,000 square feet (i.e., Attachment A, 2,a, 45,000 square feet in gross floor area to 60,000 square feet). The motion was seconded by Commissioner Kirchoff.

COMMENTS/DISCUSSION BY COMMISSION

Commissioner Kirchoff noted he envisioned 60,000 square feet as a **maximum**. If you can't satisfy the other required parameters of the development (i.e., parking, setbacks), then you use whatever you need to accomplish up to 60,000 square feet.

Commissioner Bly made a motion to amend the motion to not violate any setbacks or parking requirements. **The motion dies for lack of a second.**

Commissioner Casey clarified that the structure would not exceed sixty-five (65) feet in height; but the structure will be a maximum of 60,000 square feet in gross floor area.

The motion passed by a voice vote of 5 to 2, with Chairman McGuinness and Commissioner Casey voting no.

A motion to approve the Department's report, as amended, was made by Commissioner Bly and seconded by Commissioner Kirchoff. **The motion passed by a voice vote of 6 to 1, with Chairman McGuinness voting no.**

- C. **P.Z. 13 & 14-94 E.M. Harris Building Co. (Wildhorse Meadows)**; "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-3" 10,000 square foot Residence District and "FPR-3" Flood Plain "R-3" 10,000 square foot Residence District and Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District and "FPR-3" Flood Plain "R-3" 10,000 square foot Residence District; north side of Wild Horse Creek Road, east of Long Road.

AND

- D. **P.Z. 15 & 16-94 E.M. Harris Building Co. (Wildhorse Meadows)**; "NU" Non-Urban District to "R-1" One Acre Residence District and Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District; south side of Wild Horse Creek Road, east of Long Road.

Chairman McGuinness noted P.Z. 14, 15, 16 & 17-94 were **held** earlier in the meeting.

- E. **P.Z.17-94 Micaela Kennedy (Kennedy Farms Equestrian Center)**; Conditional Use Permit (C.U.P.) in "NU" Non-Urban District and "FPNU" Flood Plain "NU" Non-Urban District; east side of Deep Forest Drive, south of Wild Horse Creek Road (State Highway CC).

Toni Hunt, Planner I, stated the request and the Department's recommendation of approval, subject to conditions in Attachment A, and as amended in the memorandum handed out this evening (Section 2. Floor Area and Building Requirements, and Section 4. Final Development Plan Design Criteria - Road Improvement and Sidewalk, Section e.). She noted the addition of the words "to be paved in conjunction with any new structure upon the site" to the last sentence of 4.e.

A motion to amend Section 4, a., of the Conditions to allow fifty (50) foot setbacks, in lieu of one-hundred (100) foot setbacks, was made by Commissioner Kirchoff. The motion was seconded by Commissioner Dalton and **passed by a voice vote of 7 to 0.**

A motion to amend the original motion to include the data in the memorandum presented this evening, with the addition of the words in the last sentence of Condition 4.e., "to be paved in conjunction with any new structure upon the site" was made by Commissioner Kirchoff. The motion was seconded by Commissioner McCarthy and **passed by a voice vote of 7 to 0.**

A motion to approve the item, as amended twice, was made by Commissioner Bly and seconded by Commissioner Broemmer.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner McCarthy, yes; Chairman McGuinness, yes.

The motion passed by a vote of 7 to 0.

- F. **P.C. 54-86 St. Louis Industrial Properties, Limited, No. 10**; a request for extension of time to file to file Site Development Plan in "C-8" Planned Commercial District; south side of South Outer Forty Drive, west of Schoettler Valley Drive.

Joe Hanke, Planner I noted Mr. Jones would like a three (3) year extension.

A motion to approve the Department's report was made by Commissioner McCarthy and seconded by Commissioner Casey. **The motion was approved by a voice vote of 7 to 0.**

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **P.Z. 9-94 The Hayden Company (Amberleigh)**; Planned Environment Unit (PEU) in "R-3" 10,000 square foot Residence District Site Development Plan, Landscape Plan, and Architectural Elevations; northeast corner of the intersection of Clayton and Schoettler Roads.

Acting Chairman Broemmer, on behalf of the Site Plan Committee, made a motion to approve the plans in accord with the Planning Department's recommendation. The motion was seconded by Commissioner McCarthy and **passed by a voice vote of 7 to 0.**

- B. **P.Z. 6-94 C.L. Family Land Company (Schoettler Manor)**; Planned Environment Unit (PEU) in "R-1A" 22,000 square foot Residence District, Site Development Plan and Landscape Plan, east side of Schoettler Road, north of Clayton Road.

Acting Chairman Broemmer, on behalf of the Site Plan Committee, made a motion to approve the request in accord with the Planning Department's recommendation. and was seconded by Commissioner McCarthy.

Director Duepner noted this plan will go to the Planning and Zoning Committee as part of its ordinance requirements; therefore, Commission gives its recommendation for approval.

The motion passed by a voice vote of 7 to 0.

- C. **P.C. 38-87 Geriatrics Management and Union Electric (Brooking Park Village)**; Conditional Use Permit (CUP) in "R-1" One Acre, "FPR-1" Flood Plain One Acre, and "R-3" 10,000 square foot Residence Districts Site Development Section Plan and Architectural Elevations; west side of Old Woods Mill Road, north of Conway Road.

Acting Chairman Broemmer, on behalf of the Site Plan Committee, made a motion to approve the request in accord with the Planning Department's recommendation. The motion was seconded by Commissioner McCarthy and **passed by a voice vote of 7 to 0**.

- D. **Chesterfield Day School**; "NU" Non-Urban District Amended Site Development Plan and Architectural Elevations; east side of White Road, north of Wainridge Drive.

Acting Chairman Broemmer, on behalf of the Site Plan Committee, made a motion to approve the plans in accord with the Planning Department's recommendation, including the condition that trees lost in grading be replaced. The motion was seconded by Commissioner McCarthy and **passed by a voice vote of 7 to 0**.

- E. **P.C. 126-79 Delmar Gardens Enterprises (Chesterfield Villas)**; Conditional Use Permit in "NU" Non-Urban District; Amended Site Development Plan; south side of Conway Road at Chesterfield Parkway North.

Acting Chairman Broemmer, on behalf of the Site Plan Committee, made a motion to approve the plans in accord with the Planning Department's recommendation. The motion was seconded by Commissioner Casey and **passed by a voice vote of 7 to 0**.

COMMITTEE REPORTS

- A. **Ordinance Review Committee** - No report.
- B. **Architectural Review Committee** - No report.
- C. **Site Plan/Landscape Committee**

Committee Chair Kirchoff noted they are going back to the Planning and Zoning Committee of Council with revised Chesterfield Valley Guidelines because there was a vote to require a landscape architect's seal of any prints in Chesterfield Valley.

Senior Planner Laura Griggs-McElhanon noted the Committee would like to place this on the P & Z Committee agenda for its first meeting in September.

D. Comprehensive Plan Committee

Chairman McGuinness noted she is going to refer all matters discussed this evening back to the Comprehensive Plan Committee.

Chairman McGuinness noted Commissioner O'Brien will serve on the Comprehensive Plan Committee.

Director Duepner noted the next meeting will be Wednesday, August 31, 1994.

Director Duepner requested Mr. Bly to set a meeting of the Ordinance Review Committee to discuss Home Day Care, and it would be appropriate to have a recommendation from the Committee before a public hearing.

E. Procedures and Planning Committee - No report.

F. Nominating Committee - No report.

The meeting adjourned at 12:12 a.m.


Patricia O'Brien, Secretary

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