



**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 24, 1992**

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

PRESENT

Ms. Mary Brown
Mr. Dave Dalton
Mr. Bill Kirchoff
Ms. Pat O'Brien
Ms. Victoria Sherman
Chairman Mary Domahidy
Mr. Douglas R. Beach, City Attorney
Councilmember Betty Hathaway, Ward I
Mayor Jack Leonard
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Ms. Antoinette Hunt, Planning Technician
Ms. Sandra Lohman, Executive Secretary

ABSENT

Mr. Jamie Cannon
Ms. Barbara McGuinness
Mr. Walter Scruggs

INVOCATION: Commissioner Victoria Sherman

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - None

APPROVAL OF THE MINUTES

The Minutes from the meetings of July 27, 1992, and August 10, 1992, were approved.

OLD BUSINESS - None

NEW BUSINESS

- A. P.Z. 10 & 11-92 R.J. and J. Partnership; a request for a change of zoning from "NU" Non-Urban and "FPNU" Flood Plain Non-Urban to "R-1" One Acre Residence District and "FPR-1" Flood Plain "R-1" One Acre Residence District, and a Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain "R-1" One Acre Residence District; west side of Kehrs Mill Road, south of Wild Horse Creek Road.

Senior Planner Laura Griggs-McElhanon noted that the Department had been advised by the petitioner's representative that a revised site plan is being prepared, and requested this matter be held. Therefore, the Department recommends this matter be held.

A motion to hold this matter was made by Commissioner Sherman and seconded by Commissioner Brown. **The motion was approved by a voice vote of 6 to 0.**

- B. P.Z. 12 & 13-92 Grasse Properties, Incorporated; a request for a change in zoning from "NU" Non-Urban to "R-1A" 22,000 square foot Residence District and a Planned Environment Unit (PEU) Procedure in the "R-1A" 22,000 square foot Residence District; east side of Straub Road, north of Clayton Road.
- C. P.Z. 14 & 15-92 Grasse Properties, Incorporated; a request for a change in zoning from "NU" Non-Urban to "R-2" 15,000 square foot Residence District and a Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District; west side of Straub Road, north of Clayton Road.

Senior Planner Laura Griggs-McElhanon noted the petitioner has requested that P.Z. 12, 13, 14, and 15-92 be held. Therefore, the Department recommends this matter be held, pending receipt of additional information from the petitioner.

COMMENTS/DISCUSSION BY COMMISSION

- Vacation of Straub road was discussed.
- Access to the proposed development was discussed.

Director Duepner noted that:

- Access to P.Z. 12 & 13 will be from Brookhill; P.Z. 14 & 15 access will be across from the stub street provided from Brookhill to Straub Road, towards the west.
- There is some question of access; but, with continuation of the stub streets, both of the Grasse' sites would have access to public streets.
- The Department had required stub streets with a view towards future vacation of Straub Road. This issue will be addressed in the Staff report to the Commission.

A motion to hold P.Z. 12, 13, 14 & 15-92 Grasse Properties, Inc. was made by Commissioner Kirchoff and seconded by Commissioner Sherman. **The motion was approved by a vote of 6 to 0.**

D. P.Z. 16-92 Barken-Dubinsky Partnership; a request for amendment to the "M-3" Planned Industrial District Ordinance; south side of Chesterfield Airport Road, east of Long Road.

Director Duepner presented the request and the Department's recommendation of approval, as stated in the report and amendments as outlined in Attachment A.

COMMENTS/DISCUSSION BY COMMISSION

- Day care use was not requested at the public hearing.
- Church service hours are to be restricted.
- Meetings would be an accessory use to an office, but a service would not be, as recommended.
- Our Zoning Ordinance addresses "Day Care/Nursery Schools" as: "a building used for supervision and care of five (5) or more preschool children, other than those of the operator, during daylight hours. Therefore, if there were some babysitting provided, it would be an accessory use, as opposed to a full-time day care/nursery school on the site.
- Concern was expressed that too many restrictions would hinder necessary services such as weddings, funerals, etc.
- The purpose of restricting uses on weekdays is to prevent potential conflicts with the industrial traffic, etc.

A motion to approve the petition, with amendments as outlined in Attachment A, was made by Commissioner Kirchoff. The motion was seconded by Commissioner Brown. Upon a roll call the vote was as follows: Commissioner Brown, yes; Commissioner Dalton, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Sherman, yes; Chairman Domahidy, yes. **The motion passed by a vote of 6 to 0.**

- E. P.Z. 17 & 18-92 Fischer and Frichtel, Inc.; a request for a change in zoning from "NU" Non-Urban District to "R-2" 15,000 square foot Residence District and a Planned Environment Unit (PEU) Procedure in the "R-2" Residence District; east side of Wilson Road, northwest of the existing intersection of Wilson and Clarkson Roads.

Director Duepner noted that, in keeping with Commission policy, the Department report will be presented to the Commission at its meeting on September 14, 1992. He summarized the issues currently being reviewed by the Department and inquired whether the Commission would like to add items for review.

No items were added at this time.

A motion to hold was made by Commissioner Brown and seconded by Commissioner Dalton.

COMMENTS/DISCUSSION BY COMMISSION

- The status of the sidewalk along Wilson Road to Clarkson was discussed.

It was recommended that the sidewalk be extended as far as possible along Wilson Road to Clarkson Road, and that future development of adjacent property include a provision to ensure connection of the sidewalk along Clarkson Road.

The motion passed by a voice vote of 6 to 0.

- F. P.Z. 8-92 John A. and Laverne Reuther; a request for a Conditional Use Permit (CUP) in the "NU" Non-Urban District; Reuther Drive, northwest of Wild Horse Creek Road.

Director Duepner presented the matter, noting the Commission had given its recommendation for approval of this Conditional Use Permit to allow for a local public utility facility in excess of sixty (60) feet in height, in a Non-Urban District. The City Council, at its meeting on August 17, 1992, exercised its power of review over the Planning Commission's report. In accord with the provisions of the

Zoning Ordinance, the matter is back before the Planning Commission to review and respond back to City Council in terms of the manner in which the petition meets, or fails to meet, the criteria as outlined in the Ordinance for a Conditional Use Permit. He noted the four (4) criteria of a Conditional Use Permit are: 1) consistency of the use with good planning practice; 2) the use can be operated in a manner not detrimental to permitted developments and uses in the District; 3) the use can be developed and operated in a manner visually compatible with permitted uses in the surrounding area; and 4) the use is essentially desirable to preserve and promote public health, safety and general welfare. The Department believes the criteria have been met relative to the Conditional Use Permit.

Two handouts, received subsequent to the Planning Commission action, were given to the Commission: 1) a report from the Missouri Highway and Transportation Department addressing the issue of the tower and visibility, with their comments relative to a recommendation on lighting and color; and 2) correspondence from the petitioner's representative, Mr. Biesterfeld, in response to the report from the Missouri Highway and Transportation Department and comments from the Federal Aviation Agency.

Director Duepner reiterated the issue before the Commission is whether to approve the report and forward it on to the City Council Planning and Zoning Committee so that a public hearing may be held on this matter.

COMMENTS/DISCUSSION BY COMMISSION

- The Commission has made its decision and Council has exercised its power of review based, in part, on additional information the Planning and Zoning Committee received subsequent to the Planning Commission meeting on July 27, 1992.

Director Duepner noted that the Planning and Zoning Committee also expressed concern about the possible effect of the tower on the Spirit Airport.

- The Planning Commission may not revise its report. The Commission may only respond whether it did, or did not, meet the criteria.
- The Federal Aviation Agency safety issues would be addressed **prior** to issuance of any building permits. A site development plan will have to be approved by the Planning Commission.
- The safety issue would be considered at the City Council hearing.

A motion was made by Commissioner Brown to reaffirm Planning Commission's action and concur with the Department report, noting that if additional information has been received in regard to safety (color, lighting or style), it should be taken up by the Council at its meeting. The motion was seconded by Commissioner Dalton.

COMMENTS/DISCUSSION BY COMMISSION

- It was noted that the Planning Commission was concerned about the safety issue at the time of making its decision. This decision was based upon the belief that the F.A.A. (the presumed authority in this matter) had granted its approval of this item.
- It was suggested that the Director of the Spirit Airport could have provided valuable input at the public hearing.

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

Director Duepner noted that, if we have issues in the future where the Air Navigation Space Regulations come into account, the Department will advise the appropriate authorities of same. The Department had reviewed the Air Navigation Space Regulations to assure, from a preliminary standpoint, that it was in compliance.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. Brook Hill Estates Subdivision; Planned Environment Unit in "R-1A" Residence District Subdivision Record Plat (Plat Four); west side of Schoettler, north of Clayton Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Subdivision Record Plat. The motion was seconded by Commissioner Brown and passed by a vote of 6 to 0.

- B. P.C. 25-88 Stonebriar Development Company (Stonebriar Subdivision); Planned Environment Unit in "R-3" and "R-2" Residence Districts Amended Site Development Plan; north side of Kehrs Mill Road, east of Clarkson Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Amended Site Development Plan. The motion was seconded by Commissioner Brown and passed by a vote of 6 to 0.

- C. Stonebriar Subdivision; Planned Environment Unit in "R-3" and "R-2" Residence Districts Boundary Adjustment Plat (Lots 68 & 69); north side of Kehrs Mill Road, east of Clarkson Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Boundary Adjustment Plat. The motion was seconded by Commissioner Brown and passed by a vote of 6 to 0.

- D. Stonebriar Subdivision; Planned Environment Unit in "R-3" and "R-2" Residence Districts Subdivision Record Plat (Plat IV); north side of Kehrs Mill Road, east of Clarkson Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Subdivision Record Plat (Plat IV). The motion was seconded by Commissioner Brown and passed by a vote of 6 to 0.

- E. P.C. 91-88 The Siteman Organization (Spirit Trade Center); "M-3" Planned Industrial District Site Development Concept Plan; south side of Chesterfield Airport Road, west of Long Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Site Development Concept Plan. The motion was seconded by Commissioner Brown and passed by a vote of 6 to 0.

- F. Sycamore Place Subdivision; Planned Environment Unit in "R-3" Residence District Planned Environment Unit (PEU) Boundary Adjustment Plat (Lots 1 and 2); north side of Terrimill Terrace, east of Sycamore Drive.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Boundary Adjustment Plat. The motion was seconded by Commissioner Brown and passed by a vote of 6 to 0.

- G. P.C. 86-80 Murphy Company Mechanical Contractors and Engineers (Spirit 40 Park); "M-3" Planned Industrial District Site Development Section Plan (Corrpak Inc.); west side of Spirit 40 Park Drive, north of Chesterfield Airport Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Site Development Section Plan for Lot 2, subject to the following: 1) storage of materials not to exceed six (6) feet in height; 2) deciduous vines (Boston Ivy, one gallon size) be placed on ten (10) foot centers, adjacent to the concrete wall element; and 3) vinyl slats be provided in the chain link fence along the west property line to interdict line of sight. The motion was seconded by Commissioner Brown and passed by a vote of 6 to 0.

- H. D.L. 2-49 Spirit of St. Louis Airpark (Twentieth Investors); "M-3" Planned Industrial District Site Development Plan and Architectural Elevations; west side of North Bell Avenue, north of Edison Avenue.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Site Development Plan and Architectural Elevations. The motion was seconded by Commissioner Brown and passed by a vote of 6 to 0.

- I. P.Z. 168-71 Sachs Properties, Inc. (Chesterfield Mall); "C-8" Planned Commercial District Temporary Construction Sign; southwest quadrant of I-64/U.S. Highway 40/61 intersection with Clarkson Road.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Temporary Construction Sign. The motion was seconded by Commission Brown and passed by a vote of 5 to 1, with Commissioner O'Brien voting no.

COMMENTS/DISCUSSION BY COMMISSION

- This sign is much larger than what the Sign Ordinance Review Committee is looking to propose in the future; however, this one is quite interior to the site and not particularly visible from public roadways.
- This sign combines a number of other signs that could have been proposed for this site.

- J. Union Electric Substation; "NU" Non-Urban District Site Plan; south side of Chesterfield Airport Road, east of Santa Maria Drive.

Commissioner Kirchoff, on behalf of the Site Plan Review Committee, made a motion to approve the Site Development Plan and Architectural Elevations. The motion was seconded by Commissioner Brown and passed by a vote of 6 to 0.

Chair Domahidy thanked Commissioner O'Brien and her family for hosting the Planning Commission's party.

Chair Domahidy reminded the Commission of the meeting on Saturday, August 29th, at 9:00 a.m., at City Hall with Councilmembers. The agenda for that meeting will include an update of Commission actions since last December. Each Committee Chair will be asked to make a short presentation on their Committee's accomplishments. The Ordinance Review Committee will be required to give the slide presentation on the signs currently under review.

COMMITTEE REPORTS

A. **Ordinance Review Committee**

Committee Chair Brown reported that the Committee is still in the process of looking at ordinance revisions and responding to concerns raised by various groups who have attended meetings of the Committee. The next meeting will be Tuesday, September 8, 1992, at 7:00 p.m. This meeting should be the last meeting before bringing the matter to a public hearing. She encouraged all members of the Committee to attend the meeting, as well as other members of the Commission.

B. **Architectural Review Committee**

Committee Chair O'Brien reported that the last meeting was held on August 4th. The next meeting has yet to be scheduled. The Committee is close to finalizing the guidelines. The guidelines are being provided to notable organizations in the area for their final comments/input.

C. Site Plan/Landscape Committee

Committee Chair Kirchoff reported that the next meeting is tentatively scheduled for September 1, 1992, at 4:00 p.m. It is anticipated that this will be the last meeting of the Committee working on the existing document, and will bring it to the first Commission meeting in September.

Commission Chair Domahidy stated that she will, at the August 29th meeting, state that Commission efforts in establishing policies and architectural review for landscaping have been efforts to provide for "up-front" notice to persons who come before the Commission, in regard to Commission expectations. One particular reason for review/revision of the Sign Regulations is that the Sign Ordinance Number 129 and our basic underlying ordinance conflict. The Committee is trying to clarify and identify all aspects of the sign ordinance requirements.

D. Comprehensive Plan Committee

Director Duepner reported that a meeting will be scheduled **prior** to the September 14th Planning Commission Meeting. There are a couple of outstanding issues to be resolved before holding a public hearing on the Comprehensive Plan update.

Commission Chair Domahidy noted that she has given Director Duepner a list of Committee appointments for the coming year. Everyone will be a member of two (2) committees. The changes will take effect after the next Ordinance Review Committee meeting.

E. Procedures Committee

Commissioner Brown reported that the Committee reviewed some procedures followed by the City of Kirkwood Planning Commission. An interesting point that was brought up at the meeting was that, when the Department makes its report the petitioner doesn't get a chance to make any comments. The Committee suggested that, at the time of a public hearing, comments could be provided by the Department of Planning, so the petitioner and Commission could know immediately any issues the Department of Planning deems a potential problem, in terms of the petition. It would not be an endorsement of the petition by the Department. Procedures from other communities will also be reviewed and discussed at future meetings. No action was taken by the Committee.

Director Duepner stated that, in the past, some concern was raised that if we allow the petitioner an opportunity to address the Planning Commission, we need to provide others an opportunity to address the Commission. It needs to be made clear that this opportunity may exist before the Planning Commission. Current policy mandates that the only opportunity there is to address the Commission is at the time of the public hearing.

Commissioner Chair Domahidy noted that Director Duepner will keep this discussion with the Procedures Committee in mind, as other discussions continue.

The meeting adjourned 8:10 at P.M.

Mary Domahidy for

Walter Scruggs, Secretary

[MIN8-24]