PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
October 25, 1999

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

I. PRESENT **ABSENT**

Mr. David Banks
Mr. Fred Broemmer
Mr. Charles Eifler
Ms. Stephanie Macaluso
Mr. John Nations
Ms. Rachel Nolen
Mr. Jerry Right
Ms. Victoria Sherman
Chairman Dan Layton, Jr.
Mr. Doug Beach, City Attorney
Councilmember Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Reveena Shook, Planner II
Mr. Todd Streiler, Planner II
Ms. Angela McCormick, Planner I
Ms. Annissa McCaskill, Planner I
Ms. Jennifer Samson, Planner I
Ms. Kathy Lone, Executive Secretary/Planning Assistant

II. INVOCATION: Commissioner Eifler

III. PLEDGE OF ALLEGIANCE: All

Chairman Layton recognized the attendance of Councilmember Mary Brown (Ward IV) and Councilmember Mike Casey (Ward III).

IV. PUBLIC HEARINGS: None

V. APPROVAL OF MEETING MINUTES

Commissioner Right made a motion to approve the Minutes of the October 11, 1999 Meeting. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT:

1. Mr. Brian McGovern, McCarthy, Leonard, Kaemmerer, 16141 Swingley Ridge Road, Suite 300, Chesterfield, MO 63017, attorney representing resident, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker gave slide presentation depicting property of Mr. & Mrs. J. W. Flaig, 290 Woods Mill Road South, Chesterfield, Missouri;
- Speaker stated that the Indentures state that this property can only be used for commercial purposes;
- Speaker stated that the distance between the southern end of the Flaig's home and the northern end of the proposed building is approximately 70 feet. The retaining wall and playground would be between the Flaig residence and the proposed development building;
- Speaker stated that Mr. Flaig is not opposed to the rezoning but to the Conditional Use Permit to allow a child care center.

2. Mr. J. W. Flaig, 290 Woods Mill Road South, Chesterfield, MO 63017, resident speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated that the proposed development will devalue the neighboring properties;
- Speaker stated that the proposed development is flawed in many ways. The 20-foot retaining wall will leave them on a cliff and will require the removal of 10-feet of bed rock;
- Speaker stated that removal of the green space north of the property will remove the sound barrier from the highway;
- Speaker stated that there will be heavy traffic on 141;
- Speaker stated that he objects to the painted block building for the proposed development.

Chairman Layton read a statement from Ms. Anita Chastain of the Montessori Children's House in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company. Ms. Chastain was not present at the meeting.

3. Mr. Jack Lorenz, 14021 Woods Mill Cove Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker declined to speak at this time.

4. Mr. Barry Chod, 134 Ladue Farm Road, St. Louis, Mo 63141, trustee of the Ladue Farm Estates Subdivision, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated that the residents of his subdivision wish this property to remain "NU" Non-Urban. They would object to any rezoning of a more dense nature that would add traffic to the Highway 141 area, particularly north-bound Highway 141 at St. Luke's Drive until such time that the roads are improved to handle the existing as well as any increased traffic generated by a zoning change.

5. Ms. Patti Cowee, 155 South Woods Mill Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated it is very difficult to get onto 141 because of the traffic on Conway Road;
- Speaker stated that she would like the property to remain "NU" Non-Urban;
- Speaker stated that this is a unique area of Chesterfield and would like the green space to remain.

6. Mr. James Mettes, 13757 Conway Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated that the proposed development would create problems exiting his driveway with the added traffic.

7. Ms. Tera Cowee, 60 Woods Mill Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated that the proposed development is not consistent with the single-family residence;
- Speaker stated that property values will depreciate;
- Speaker stated that there would be additional traffic problems.

8. Mr. William Buchmueller, 14166 Woods Mill Cove, Chesterfield, MO 63017, former president of the Terraces Condominium Association, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated that a majority of residents in the Terraces Condominium Association are opposed to the proposed development;
- Speaker stated that it is not a good use for the site;
- Speaker asked the Commission to deny these petitions.

9. Mr. Lee Wall, 14759 Plumas, Chesterfield, MO 63017, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated that anything that impacts a single citizen ends up impacting all of us;
- Speaker asked the Commission to vote their conscience. No one would like a retaining wall in their front yard.

10. Mr. Ed Griesedieck, 1 City Center, St. Louis, MO 63101, attorney for petitioner, speaking in favor of P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated that petitioner had asked for more time to respond to Staff's recommendation for the Conditional Use Permit;
- Speaker stated that Staff said it did not meet with the Comprehensive Plan;
- Speaker stated that the proposed development would be much below Mr. Flaig's property;
- Speaker stated that a traffic report showed a brief review of the site indicated that there would be negligible or no traffic impact as a result of the proposed development;
- Speaker stated that the petitioner would comply with all landscape and architectural issues;
- Speaker asked the Commission to not follow the Staff report and approve the Conditional Use Permit.

Commissioner Banks expressed concern about garbage at one of the other day care centers owned by the petitioner.

Mr. Griesedieck stated that the petitioner would agree to any reasonable requirements that the City would have for buffering the site and trash pick-up. Mr. Griesedieck stated that the petitioner has been agreeable to any architectural improvements and landscaping which the City has suggested. Mr. Griesedieck stated that all of these items would help make the petitioner as good a neighbor as possible.

Mr. Griesedieck stated that he does not think that this is a residential site.

Commissioner Nolen stated that at an earlier meeting when P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company were presented, the Commission had concerns about traffic. Commissioner Nolen stated that since the Commission and residents had expressed concerns about the traffic, why is the Commission just getting a traffic report now. The Commission is only having a few minutes to review this report and the inconsistencies.

Mr. Griesedieck stated that the retaining wall varies in height. The highest point is approximately 24 feet. Mr. Griesedieck stated that it is a 3-tier wall with plantings in between and some grade coverage between the various walls. Mr. Griesedieck stated that fencing would keep the children away from the retaining wall.

Chairman Layton gave a summary of events of P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company since the petitioner's request to hold at the October 11, 1999 Planning Commission Meeting.

11. Mr. Chris Kersten, #6 The Pines Court, Chesterfield, MO 63017, speaking in favor of P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker declined to speak.

12. Mr. George Heidelbaugh, 13 Bel-Rae Court, Chesterfield, MO 63301, petitioner speaking in favor of P.Z. 29 Greater Midwest Builders and P.Z. 30-1999 Greater Midwest Builders;

- Speaker stated that he basically agreed with the Staff's report and had the following answers to the report:

    1. The request indicates a PEU consisting of 4,000 square feet. Petitioner actually is asking for 4,749 square feet per unit in area (this is square area minus the right-of-way);
    2. Recommendations to go by design uses in Attachment A – petitioner is in basic agreement and will work out a design that will acceptable to the City;
    3. Speaker stated that he was surprised that there would not be a driveway within 80 feet of the paved area of Clayton Road. Speaker stated that he feels that the drives are far enough back from Clayton Road and would not create a problem. Speaker stated that they currently are about 60 feet back;
    4. Speaker stated that the report states that petitioner would donate whatever ground Chesterfield or the Highway Department might deem necessary (a widening strip, 15 feet along Clayton Road). Speaker stated that he is not sure if this is on-going;
    5. Speaker stated that the entrance on Clayton Road indicates right turn in/right turn out. All of the developments along Clayton Road can, with caution, make a left turn, get into the center lane and then merge into the traffic. Speaker stated that he assumed that this proposed development would have the same option;
    6. Speaker stated the proposed property presently has four (4) storm drains which drain to Creve Coeur Creek;
    7. Speaker stated the possibility of an alternative access on Claymoor Drive. Speaker has been talking to two (2) trustees. Speaker stated that Claymoor Drive is a private street. They also have private property from the edge of their pavement area, adjacent to the proposed development and it is not feasible to connect the street to Claymoor Drive.

- Speaker asked the Commission to vote for approval of P.Z. 29 Greater Midwest Builders and P.Z. 30-1999 Greater Midwest Builders.

Commissioner Nolen stated that the right in/right out and access on Claymoor Drive remarks came from MoDOT. Commissioner Nolen stated that she does not feel comfortable disagreeing with MoDOT.

Mr. Heidelbaugh stated that, if necessary, petitioner would put up a no left turn sign on Clayton Road. Mr. Heidelbaugh stated that he wondered if other Clayton Road property owners would be required to do the same.

Mr. Heidelbaugh stated that he found out about the Staff's issues on Friday afternoon in a letter. Mr. Heidelbaugh stated that the 80-foot access off Clayton Road had not been discussed with him previously.

Chairman Layton asked the Planning Department to address the points raised by Mr. Heidelbaugh during their presentation of P.Z. 29 Greater Midwest Builders and P.Z. 30-1999 Greater Midwest Builders.

Commissioner Eifler asked Mr. Heidelbaugh what the impact would be on the proposed development if the distance between Clayton Road to the first driveway were 80 feet.

Mr. Heidelbaugh stated that it would have to be redesigned because it may eliminate two (2) units. Mr. Heidelbaugh stated that it would also have to be reassessed to see if the project is still feasible.

13. Mr. Art Bond, 7800 Bonhomme Ave., St. Louis, MO 63105, architect, speaking in favor of P.Z. 34-1999 City of Chesterfield;

- Speaker stated that he is present to answer any questions.

City Attorney Beach stated that, in an agreement with Monsanto, the City has the right to the easements on either side and the road is to be entirely contained within the site of the City of Chesterfield. The roundabout is being put in because there is property that will have potential roads in either direction for further development which is part of the current Monsanto plan. City Attorney Beach stated that the City would be working with Monsanto in the development and approval of the site so that the roadway is an enhancement to both sites. City Attorney Beach stated that the roundabout would be a public street.

14. Mr. Jack Lorenz, 14021 Woods Mill Cove Drive, Chesterfield, MO 63017, speaking neutral to St. Andrew's/Brooking Park Campus;

- Speaker stated he is a direct property owner to the south of the St. Andrew's/Brooking Park Campus;
- Speaker stated that he likes the plan and feels that it is an improvement over an earlier proposed plan;
- Speaker stated the he requests that the Planning Commission talk to adjoining property owners and try to work out a better buffer situation with vegetation between the new street and the speaker's deck.

VII. NEW BUSINESS

A. **P.Z. 12-1999 International Exchange Company;** A request for a change of zoning from "NU" Non-Urban District to "R-2" Residence District for three parcels of land located at the intersection of State Highway 141 and Old Woodsmill Road. Parcel A contains 0.853 acres, Parcel B contains 0.221 acres, and Parcel C contains 0.904 acres. Total area to be rezoned is 1.978 acres.

Proposed use:

- Child Day Care Center.

And

B. **P.Z. 13-1999 International Exchange Company;** A request for a conditional use permit in the "R-2" Residence District for three parcels of land located at the intersection of State Highway 141 and Old Woodsmill Road. Parcel A contains 0.853 acres, Parcel B contains 0.221 acres, and Parcel C contains 0.904 acres. Total area to be rezoned is 1.978 acres.

Proposed use:

- Child Day Care Center.

Planner I Annissa McCaskill gave an overview of P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company. Planner I McCaskill stated that Staff recommends approval for the rezoning of P.Z. 12-1999 International Exchange Company. Planner I McCaskill stated that there is concern whether or not it should be zoned to an "R" District or an "E" District. Upon review of the "E" Districts, the only way it could possibly be in this district is as a group home or with a 1-acre use have a child care center but the setback considerations for this development would not be able to be met so the "E" District was not really an option in the Staff's recommendation.

Planner I McCaskill recommends denial for the Conditional Use Permit for P.Z. 13-1999 International Exchange Company because Staff feels it would have a negative impact as well as Comprehensive Plan issues. Planner I McCaskill stated that she had met with the petitioner's attorney, Mr. Ed Griesedieck, who wanted Staff to address the five (5) issues. Planner I McCaskill is not able to address the traffic report just handed out until she has time to review it but is able to answer questions that the Commission may have concerning the other issues stated in her report.

Chairman Layton asked Planner I McCaskill if she remains unchanged in her original recommendations for approval of rezoning of P.Z. 12-1999 International Exchange Company and denial of the Conditional Use Permit for P.Z. 13-1999 International Exchange Company.

Planner I McCaskill stated that she does remain unchanged in her original recommendations.

Commissioner Macaluso asked Planner I McCaskill if P.Z. 12-1999 International Exchange Company could be zoned in the "E" District because of what the applicant is applying for?

Planner I McCaskill stated that no and that other uses had been looked at as well. The "E" District requires a lower density and wants as much as much land as possible with the different uses which are on the land. Staff looked at different uses but because of the different uses that are allowed in the "E" District and also the lot requirements, it does not meet requirements.

Commissioner Sherman asked Staff if this property could fit in the "E" District if it was only going to be single-family residential.

Planner I McCaskill stated that the only way you could have less than 2 acres is if a PEU Procedure was done. The minimum is 2 acres and this lot is 1.9 acres so it would not fit within the "E-1" District. There are setback requirements that could make it difficult to place single-family residence in an "E" District. If a resident wanted to build one residence on this property, it would have to go to the "R" District that could support the lot size.

Commissioner Broemmer asked if it could be divided into something smaller if it was an "R-3."

Planner I McCaskill said yes since an "R-3" is 15,000 square feet.

City Attorney Beach stated that this could not be divided into 2 lots because you do not have enough for the 1 acre size and there are setback requirements in the "E" District. On this piece of property, once you put the setbacks in, there is no place to put a house because of the odd shape.

Commissioner Broemmer asked if there could be a variance for the setback.

City Attorney Beach does not think this could be done in the "E" District.

Commissioner Broemmer stated that the best residential zoning for this property would be the "R-2" (.5 acre) District.

Commissioner Eifler made a motion to accept Staff's recommendation and approve the "R-2" zoning for P.Z. 12-1999 International Exchange Company. The motion was seconded by Commissioner Banks.

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

The motion passes by a vote of 9 to 0.

City Attorney Beach referred to page 3 of the Staff report (Section 1003.181 – Conditional Use Permit) and stated that there are certain things which you must find and, if you find for or against, you have to fit it within the criteria that it is consistent with good planning practice, whether it can be operated in a manner non-detrimental to the permitted uses and development in the area, whether it can be developed and operated in a manner visually compatible with the surrounding development, and whether the use is essential or desirable to preserve and protect the public health, welfare and safety. This is taken from the original report dated September 27, 1999. City Attorney Beach asked the Commission to keep these items in mind as they deliberate on P.Z. 13-1999 International Exchange Company so that a report can be prepared which addresses those needs based upon the outcome of the vote. The handout by the Flaigs, page 3, Item #2, also contains this information.

Commissioner Sherman made a motion to accept the Staff recommendation to deny the Conditional Use Permit (CUP) for P.Z. 13-1999 International Exchange Company. The motion was seconded by Commissioner Broemmer.

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

The motion to deny passes by a vote of 8 to 1.

City Attorney Beach requested a report be sent to the City Council which would identify the previously identified items to make a report based on the comments made tonight by the Commissioners as well as Planner I McCaskill's report. City Attorney Beach asked that the report be drafted and returned to the next meeting for approval before it is forwarded to the City Council.

Chairman Layton asked City Attorney Beach how the traffic report should be handled since it was handed out to the Commission at the meeting tonight.

City Attorney Beach asked Planner I McCaskill to review the traffic report and see if it would be appropriate to make comments on and incorporate into the report which the Commission would review and approve or deny. The Commission may change the report when it comes before them at the next meeting.

C. **P.Z. 29-1999 Greater Midwest Builders**; a request for a change in zoning from "NU" Non-Urban to an "R6A" Residence District for a 2.88 acre tract of land located on the north side of Clayton Road, east of Baxter and west of Straub (locator number 21R441696).
Proposed Use:
- Single Family Attached.

And

D. **P.Z. 30-1999 Greater Midwest Builders**; a request for a Planned Environment Unit (PEU) Procedure in the "R6A" Residence District for a 2.88 acre tract of land located on the north side of Clayton Road, east of Baxter and west of Straub (locator number 21R441696).
Proposed Use:
- Single Family Attached.

Planner I Jennifer Samson gave an overview of P.Z. 29-1999 Greater Midwest Builders and P.Z. 30-1999 Greater Midwest Builders. Planner I Samson stated that MoDOT had suggested a 150-foot setback for driveways but Public Works decided to go with an 80-foot setback. Planner I Samson stated that Staff recommends approval of these two (2) petitions in accordance with Attachment A.

Commissioner Nolen stated that she would like to add to Attachment A that an island be added to Clayton Road to make this right in/right out only.

City Attorney Doug Beach stated that Clayton Road is a state road and the state has control as to whether or not an island would be placed there.

Commissioner Eifler stated that one of his issues was the preservation of the trees at the rear of the property. Commissioner Eifler stated that there is a 15-foot setback between the building and the property line. He stated that there are trees on the setback area as well as on the adjacent property. The developer had agreed to engage a professional forester or tree expert to determine a way to save those trees even if it meant increasing the setback. This is not reflected in Attachment A.

Commissioner Macaluso made a motion to approve P.Z. 29-1999 Greater Midwest Builders. The motion was seconded by Commissioner Right.

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

The motion passes by a vote of 9 to 0.

Commissioner Eifler made a motion to approve P.Z. 30-1999 Greater Midwest Builders with the exception that, in Attachment A under "Structure Setbacks," that the rear yard setback be modified to be 15-feet minimum and that the placement of the building at the western-most boundary would, in the written opinion of a professional tree expert to be engaged by the developer, not damage the large trees on the subject site or abutting property (northwestern side). The motion was seconded by Commissioner Nations.

Planner I Samson stated on page 3 of Attachment A, under "Landscape Requirements," this was partially addressed. Planner I Samson asked the Commission how they would like this reworded under Section "O."

Commissioner Eifler stated that the real issue was the setback. Commissioner Eifler stated this is an attempt to cover the issue and feels that it needs to be plainly stated that the trees take priority over the setback and that the building would not encroach on the existing trees to the point that, in the opinion of a professional, they would be destroyed.

City Attorney Beach expressed a concern about placing a requirement on someone. City Attorney Beach stated that, based upon the information now available, we want to set something arbitrarily. City Attorney Beach stated that Commissioner Eifler's motion stated that the placement of the building at the western-most boundary would be as certified by a professional forester to be of sufficient distance so that it will not damage the existing trees on this site or the adjacent site.

City Attorney Beach stated that a caliper is needed.

Director of Planning Teresa Price asked the Commission if a good requirement would be to require a Tree Stand Delineation as part of the Site Development Plan. That way the Commission would know what size they were preserving and what the setback would be as part of the Site Development Plan. Director of Planning Price stated that a Tree Stand Delineation has to be done for the development anyway.

Commissioner Eifler stated that his concern with Ms. Price's statement is endorsing a rear yard setback of 15 feet and how does that conflict with the preservation of trees, if at all?

Director of Planning Teresa Price stated that "a Tree Stand Delineation study shall be required as part of the Site Development Plan. The purpose of said Delineation Study is to determine the appropriate building setback distance for parcels on the western property line."

Commissioner Eifler amended his motion to include the statement by Director of Planning Price. The amended motion was seconded by Commissioner Nations.

The amended motion is as follows:

Commissioner Eifler amended the motion to approve P.Z. 30-1999 Greater Midwest Builders with the condition that a Tree Stand Delineation study shall be required as part of the Site Development Plan. The purpose of said Delineation Study is to determine the appropriate building setback distance for parcels on the western property line."

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

The motion passes by a vote of 9 to 0.

Commissioner Nolen asked Staff to look at what was done in front of Sunrise Assisted Living concerning a landscaped island for a right in/right out turn only on Clarkson Road and explore the same for this area and communicate this to the Planning & Zoning Committee.

E. **P.Z. 33-1999 City of Chesterfield:** A proposal to amend Sections 1003.140 "PC" Planned Commercial District and 1003.150 "PI" Planned Industrial District of the City of Chesterfield Zoning Ordinance to allow public building facilities owned or leased by the City of Chesterfield as a permitted use.

Planner I Jennifer Samson gave an overview of P.Z. 33-1999 City of Chesterfield and stated that Staff recommends approval.

Commissioner Nations made a motion to approve P.Z. 33-99 City of Chesterfield. The motion was seconded by Commissioner Eifler.

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

The motion passes by a vote of 9 to 0.

F. **P.Z. 34-1999 City of Chesterfield**; a request for a change in zoning from "C-8" Planned Commercial to a "PC" Planned Commercial District for a 7.9 acre tract of land located at the intersection of Swingley Ridge Road and Chesterfield Parkway West. (Locator Number: 17S21-0072). Proposed Use: public building facilities owned or leased by the City of Chesterfield.

Planner I Angela McCormick gave an overview of P.Z. 34-1999 City of Chesterfield.

Commissioner Nations made a motion to approve P.Z. 34-1999 City of Chesterfield. The motion was seconded by Commissioner Right.

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

The motion passes by a vote of 9 to 0.

Commissioner Eifler asked when this petition would be referred to the Architectural Review Board (ARB).

Director of Planning Price stated that this petition will go before the Planning and Zoning Committee, then City Council after which it will return to the Planning Commission for the Site Development Plan approval contingent on the elevations and Landscape Plan. Director of Planning Price stated that this petition would not have elevations for the Architectural Review Board to comment on at this time. Elevations would not be available until possibly December or January.

Commissioner Eifler stated that Mr. Craig Conway, Chairman of the Architectural Review Board (ARB), asked that the ARB be given the opportunity to review this petition. Commissioner Eifler stated that he did not see a reason not to send this petition to the ARB for their review at this time.

Chairman Layton stated that plans for this petition are in the very early stages.

City Attorney Beach stated that there are no elevations or details that they would review.

Commissioner Eifler stated that it would show a vote of confidence in the Architectural Review Board if they were asked to comment on the plans. Commissioner Eifler stated that the ARB could review whatever is available. Commissioner Eifler stated that he felt that it would be to the advantage of everyone to have the ARB review this now.

City Attorney Beach stated that the Architectural Review Board has not had any petitions at this stage referred to them before.

Chairman Layton stated that there is a definite place for the Architectural Review Board in this review process.

Mr. Art Bond, architect for P.Z. 34-1999 City of Chesterfield, stated that most of the work that has been done has been to design the size of the building for the departments that will be housed within the facility.

Commissioner Eifler stated that he did not know why the Architectural Review Board could not look at the plans at their next meeting on October 28, 1999 and get involved in the process.

Director of Planning Price stated that the item that is different about this process is that when rezonings are referred to the Architectural Review Board it is for the development of possible conditions for the Attachment A. Director of Planning Price stated that Staff did not have to develop an Attachment A. Certain uses are allowed outright in the Planned Commercial District and that is the category in which the government buildings have been put. Some of those conditions have been developed so if we send it back to them, then the conditions are in the Attachment A.

Commissioner Eifler stated that the Architectural Review Committee reports to and makes recommendations to the Planning Commission.

Director of Planning Price stated that all Site Development Plans are sent to the Architectural Review Board but not all rezonings.

Commissioner Eifler stated that it would demonstrate good faith in the Architectural Review Committee to show them and to comment on what the City is doing.

Councilmember Brown stated that the City Council has not yet seen the building elevations. Councilmember Brown stated that she does not feel that there would be enough for the Architectural Review Board to comment on. Councilmember Brown stated that perhaps Staff could show the pictures to the ARB.

Commissioner Banks stated that, since the Architectural Review Board is a committee of the City, this could be sent to them informally just for their perusal but he is against receiving comments from them at this time.

Commissioner Sherman stated that she is in agreement with Commissioner Eifler to show this to the Architectural Review Board for their comment.

Commissioner Broemmer stated that he agrees but not to formally send this to the Architectural Review Board arbitrarily asking for opinions and input from all areas because it is not ready to do this. If the City wants to include the ARB with their meetings with Mr. Bond, that is the place to do it.

Chairman Layton asked the Commission if they wanted to send this petition to the Architectural Review Board for a visual effect and not ask for a critique or comment.

Commissioner Right suggested voting as to whether or not to send to the Architectural Review Board.

Commissioner Sherman made a motion that the plans to date for P.Z. 34-1999 City of Chesterfield be presented to the Architectural Review Board for an informal critique. The motion was seconded by Commissioner Eifler.

Commissioner Banks amended the motion with a statement that the Architectural Review Board will receive full detail plans at an appropriate time for review. The amended motion was accepted by Commissioner Sherman and Commissioner Eifler.

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

The amended motion fails by a vote of 3 to 6.

G. **P.Z. 35-1999 City of Chesterfield**; a request for a change in zoning from "M-3" Planned Industrial District to a "PI" Planned Industrial District for a 14.3 acre tract of land located on the west side of Public Works Drive, approximately 80 feet south of Chesterfield Airport Road. (Locator Number: 17U21-0135). Proposed Use: public building facilities owned or leased by the City of Chesterfield.

Planner I Angela McCormick gave an overview of this petition and stated that Staff recommends approval.

Commissioner Macaluso made a motion to approve P.Z. 35-1999 City of Chesterfield. The motion was seconded by Commissioner Right.

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

The motion passes by a vote of 9 to 0.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

A. **The Landings at Spirit;** "M-3" Planned Industrial District Site Development Section Plan; east of Eatherton Road, south of the Spirit of St. Louis Airport runway.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan for The Landings at Spirit. The motion was seconded by Chairman Layton **and passes by a voice vote of 9 to 0.**

B. **St. Andrew's/Brooking Park Campus; Site Development Section Plan,** Architectural Elevations, Landscape Plan, and Architect's Statement of Design Compliance. The subject property is zoned "R-1" One Acre, "FPR-1" Flood Plain One Acre, and "R-3" 10,000 square foot Residence District with a CUP. The Brooking Park Campus is located on the east side of South Woods Mill Road, north of Conway Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations, Landscape Plan and Architect's Statement of Design Compliance for St. Andrew's/Brooking Park Campus. The motion was seconded by Commissioner Nolen **and passes by a voice vote of 9 to 0.**

Chairman Layton directed Staff to have the petitioner make contact with Mr. Jack Lorenz to discuss the issue he presented before the Commission during the Public Comment portion of the meeting.

C. **P.Z. 38 - 98 Swingley Ridge I;** A Site Development Plan, Landscape Plan and Architectural Elevations for a 76,250 sq. ft. office building located on 4.6 acres within the "PC" Planned Commercial District, governed by the City of Chesterfield Ordinance #1557. Located on the north side of Swingley Ridge Drive, west of Olive Boulevard.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Landscape Plan and Architectural Elevations for P.Z. 38-98 Swingley Ridge I with the conditions that Staff receive the geotechnical support documents, that more shrubbery be added to the flag-lot, that a creative planting design be put on the rock dike and retaining wall, and that the brick material be included in the plan. The motion was seconded by Commissioner Nolen **and passes by a voice vote of 9 to 0.**

D. **Nooning Tree;** Amended Site Development Plan for the 101.3 acre "R-2" and "R-3" Residence Districts in a "PEU" Planned Environment Unit, located southeast of Olive Boulevard and southwest of White Road (Ordinance Number 957). The purpose of the amendment is for the installation of retaining walls and a landscape berm.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan and Landscape Plan for Nooning Tree with the condition that the Trust Indentures be drawn in such a way that the subdivision would take over responsibility of the retaining wall plantings. The motion was seconded by Chairman Layton **and passes by a voice vote of 9 to 0.**

E. **Eagle Crest Estates**; A Record Plat in the "R-1" Residence District and "FPR-1" Flood Plain Residence District, located on the south side of Wild Horse Creek Road and west of the intersection of Wilson Road an Wild Horse Creek Road. Governing Ordinance 1315.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for Eagle Crest Estates. The motion was seconded by Commissioner Eifler **and passes by a voice vote of 9 to 0.**

F. **P.Z. 22-98 G.H.H. Investments, L.L.C. "Chesterfield Business Park":** A Record Plat for 19.962 acres located within the "P-I" Planned Industrial District, governed by the City of Chesterfield Ordinance # 1454. Located on the west side of Long Road on the south side of Chesterfield Airport Road and north of the proposed Edison extension.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for P.Z. 22-98 G.H.H. Investments, L.L.C. "Chesterfield Business Park.". The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 9 to 0.**

IX. COMMITTEE REPORTS:

A. Ordinance Review Committee –

Commissioner Sherman, Committee Chairman, will be scheduling a meeting. Those who spoke during the Public Comment portion of the October 11, 1999 Planning Commission Meeting will be contacted for their written input concerning P.Z. 36-1999 City of Chesterfield.

B. Architectural Review Committee – No report
C. Site Plan/Landscape Committee – No report
D. Comprehensive Plan Committee

Commissioner Broemmer, Committee Chairman, will be scheduling a meeting to discuss cross access, Conway Road land use and land use definitions.

E. **Procedures and Planning Committee** – No report

Chairman Layton wished Planner II Reveena Shook and Planner I Annissa McCaskill the best in their new jobs.

X. ADJOURNMENT

A motion to adjourn was made by Chairman Layton and unanimously seconded. The motion **passes by a voice vote of 9 to 0.**

The meeting adjourned at 9:17 P.M.

Charles Eifler, Secretary