

IV

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
November 13, 1989

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

PRESENT

ABSENT

Chairman Barbara McGuinness
Mr. Edward Bidzinski
Ms. Mary Brown
Mr. Charles Bryant
Ms. Kimberly Burnett
Ms. Mary Domahidy
Mr. Lester Golub
Mr. William Kirchoff
Dr. Alan Politte
Mr. Doug Beach, City Attorney
Councilmember Dick Hrabko, Ward IV
Mr. Jerry Duepner, Director of Planning/Economic Development
Ms. Anna Kleiner, Planning Specialist
Mr. Dan Olson, Planning Technician
Ms. Sandra Lohman, Executive Secretary Department of Planning

INVOCATION: Jerry Duepner, Director Department of Planning/Economic
Development

PLEDGE OF ALLEGIANCE: Councilmember Dan Hurt Ward III.

INTRODUCTORY REMARKS - Mr. Charles Bryant

PUBLIC HEARINGS

P.Z. 33-89 City of Chesterfield Planning Commission; c/o City of
Chesterfield Department of Planning/Economic Development, 922 Roosevelt
Parkway, Chesterfield, MO 63017. A proposal to revise the Zoning
Ordinance of the City of Chesterfield by amending Section 1003.193
relative to the Appeal and Protest Procedure for Special Procedures.

Mr. Jerry Duepner, Director of the Department of Planning/Economic Development
for the City of Chesterfield, presented the petition with the following
statements.

- o Special Procedures, as defined by our Zoning Ordinance, are Conditional
Use Permits, Planned Environment Unit Procedures in Residential
Districts, Commercial Industrial Development Design Procedures, and
Landmark and Preservation Area Procedures.

Current Conditions of Ordinance

- o Our current Ordinance states that a Notice of Protest must be filed with the City Clerk within ten (10) days of the receipt of the Planning Commission's report on the Special Procedure by the City Council. This notice is to be signed by the owners of 25% of the property within 1000 feet of the site.
- o After the Protest Notice has been filed, the protestors are given an additional thirty (30) days for submittal of the actual Protest Statement to the City Clerk. This Protest Statement would identify the reasons for the Protest.
- o This process is based on the St. Louis County Zoning Ordinance, which was adopted by the City.

Proposed Amendment to Ordinance

- o For a municipality, the additional thirty (30) days may be an excessive amount of time.
- o The amendment proposed would require the submittal of the Protest Notice and the Statement of Protest at the same time. This would, in fact, eliminate the extra thirty (30) days that the process currently allows.
- o Once a Protest has been submitted to the City Clerk, it would be referred to the Department for review, and to determine if it was a valid protest.
- o If it is a valid protest, the Commission would have to review the matter and forward it on to the City Council.
- o The Protest would then require a Public Hearing before the Planning and Economic Development Committee of the City Council. (This is the current requirement.)

Mr. Duepner concluded by stating the reason for the proposed amendment proposed is to provide for a more efficient process in the handling of Protest Statements.

Upon discussion by the Commission, it was suggested that the Department review possible ways to expedite the normal time-frame of the process.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION - None

REBUTTAL - Not necessary.

A show of hands indicated five (5) in favor, and one (1) against.

APPROVAL OF THE MINUTES - The minutes of the Planning Commission Meeting of October 23, 1989 were approved.

COMMITTEE REPORTS

Comprehensive Plan Committee

Ms. Domahidy stated that the Comprehensive Plan Committee will meet on Friday afternoon, November 17th, at 3:30 p.m., to consider the report of the Consulting Team and the Staff following the Quadrant Meetings, which have concluded.

Ordinance Review Committee - No Report

OLD BUSINESS

- A. P.Z. 28-89 City of Chesterfield Planning Commission; Amending Section 1005.080 "Improvements Installed or Guaranteed," Section 1005.085 "Acceptance and Final Approvals," and Section 1005.265 "Disclosure of Responsibility for Street Maintenance" of the Subdivision Ordinance of the City of Chesterfield.

Mr. Duepner requested that this item be tabled until a report is received from the Public Works Committee of the City Council.

NEW BUSINESS

- A. P.Z. 29-89 Midland-Capitol Properties I; "NU" Non-Urban District, "R-1" One Acre Residence District, "R-1A" 22,000 square foot Residence District, and "C-8" Planned Commercial District to "C-8" and amended "C-8" Planned Commercial District; 9.296 acre tract of land located on the east side of Clarkson Road, approximately 800 feet north of Baxter Road.

Mr. Duepner gave an in-depth report on the petitioner's request and the Department's recommendation.

A motion to approve the Department's report was made by Mr. Bryant and seconded by Mr. Golub.

Amendments to the motion were as follow:

1. Mary Domahidy - Requirement of a Siltation Bond, if deemed necessary by the Department of Public Works.
2. Alan Politte - Requirement of a seventy-five (75) foot setback from the new right-of-way of Old Baxter Road. This setback shall be an undulating buffer of a minimum seventy-five (75) feet in width.
3. Ed Bidzinski - Permanent signage facing Clarkson Road shall be monument type. No signage will be permitted along Old Baxter.

4. Mary Brown - Prior to any site preparation, a plan depicting existing trees and those to be retained is to be submitted to the Planning Commission for review and approval.
5. Alan Politte - Total building area shall not exceed 80,000 square feet.
6. Chuck Bryant - No structure, except signs, lights, fences, retaining walls and flag poles, shall be within ninety-five (95) feet from the new right-of-way of Old Baxter Road. This setback shall be maintained in a park like setting, as approved by the Planning Commission on the site development plan.

Upon a roll call the vote was as follows: Mr. Bidzinski, yes; Ms. Brown, no; Mr. Bryant, yes; Ms. Burnett, no; Ms. Domahidy, yes; Mr. Golub, yes; Mr. Kirchoff, yes; Dr. Politte, yes; Chairman McGuinness, yes. The motion passed by a vote of 7-2.

- B. P.Z. 30-89 City of Chesterfield Planning Commission; a proposal to revise the Zoning Ordinance of the City of Chesterfield by amending Section 1003.168 Sign Regulations relative to subdivision information and direction signs.

Mr. Duepner stated the proposal and the Department's recommendation.

A motion to approve the Ordinance Review Committee's report was made by Ms. Burnett, and seconded by Mr. Bryant.

The motion was amended as follow:

1. Mr. Bidzinski - the top of the sign be no more than ten (10) feet above street level, and the minimum distance above street level two (2) feet.
2. Dr. Politte - approve Planning Department's recommendation with recommendations from the Ordinance Review Committee and amendments stated herein.
3. Ms. Brown - add removal of sign and limit of five (5) days for removal process.
4. Mr. Kirchoff - no wood braces or guy wires are to be used.
5. Mr. Kirchoff - Sign post colors shall be the same as the sign background color.

Upon a roll call the vote was as follows: Mr. Bidzinski, yes; Ms. Brown, yes; Mr. Bryant, yes; Ms. Burnett, yes; Ms. Domahidy, yes; Mr. Golub, yes; Mr. Kirchoff, no; Dr. Politte, yes; Chairman McGuinness, yes. The motion passed by a vote of 8-1.

- C. P.Z. 31-89 City of Chesterfield Planning Commission; a proposal to revise the Zoning Ordinance of the City of Chesterfield by amending Section 1003.101 "FP" Flood Plain District Regulations to allow a portion of a residential lot within the flood plain.

Dan Olson, Planning Technician, stated the proposal and the Department's recommendation.

A motion to approve the Department's recommendation was made by Mr. Bryant and seconded by Ms. Brown. Upon a roll call the vote was as follows: Mr. Bidzinski, yes; Ms. Brown, yes; Mr. Bryant, yes; Ms. Burnett, yes; Ms. Domahidy, yes; Mr. Golub, yes; Mr. Kirchoff, yes; Dr. Politte, yes; Chairman McGuinness, yes. The motion passed by a vote of 9 to 0.

- D. P.Z. 32-89 City of Chesterfield Planning Commission; a proposal to revise the Zoning Ordinance of the City of Chesterfield by amending Section 1003.200 Administration, Enforcement and Permits, and Section 1003.410 Penalties for Violation of Zoning Ordinance relative to enforcement of provisions of the Zoning Ordinance of the City of Chesterfield.

Ms. Anna Kleiner, Planning Specialist, presented the proposal and the Department's recommendation.

A motion to approve the Department's recommendation was made by Mr. Bryant and seconded by Ms. Brown. Upon a roll call the vote was as follows: Mr. Bidzinski, yes; Ms. Brown, yes; Mr. Bryant, yes; Ms. Burnett, yes; Ms. Domahidy, yes; Mr. Golub, yes; Mr. Kirchoff, yes; Dr. Politte, yes; Chairman McGuinness, yes. The motion passed by a vote of 9 to 0.

- E. Correspondence from Mr. Mark Teitelbaum requesting amendment of PEU in "R-2" Residence District PEU Ordinance; P.Z. 20-89 Gerald Kerr Homes Corporation (Princeton Gate); north side of Clayton Road, west of Claymont Estates Drive.

Ms. Kleiner presented the request and the Department's recommendation to approve the deletion of Section 4e of Ordinance No. 366, and to deny the request to amend Section 4g of Ordinance No. 366.

A motion to approve the Department's recommendation was made by Mr. Bryant and seconded by Ms. Brown. Upon a roll call the vote was as follows: Mr. Bidzinski, yes; Ms. Brown, yes; Mr. Bryant, yes; Ms. Burnett, yes; Ms. Domahidy, yes; Mr. Golub, yes; Mr. Kirchoff, yes; Dr. Politte, yes; Chairman McGuinness, yes. The motion passed by a vote of 9 to 0.

- F. Correspondence from Mr. John Shaw requesting an extension of time for submittal of site development plan; P.C. 93-88 Stegmann; southwest corner of Wild Horse Creek Road and Chesterfield Airport Road.

Ms. Kleiner presented the request and the Department's recommendation to approve the request for the six (6) month extension of time to May 27, 1990.

A motion to approve the Department's recommendation was made by Mr. Bryant and seconded by Mr. Kirchoff. The motion passed by a voice vote of 9 to 0.

G. Correspondence from Mr. Charles Hennemeyer requesting an amendment of "C-8" Planned Commercial District Ordinance; P.C. 22-88 Hennemeyer Company; east side of Clarkson Road, north of Baxter Road.

Mr. Duepner presented the request and the Department's recommendation of denial.

A motion to approve the Department's recommendation of denial was made by Mr. Bryant and seconded by Ms. Domahidy. Upon a roll call the vote was as follows: Mr. Bidzinski, no; Ms. Brown, yes; Mr. Bryant, yes; Ms. Burnett, yes; Ms. Domahidy, yes; Mr. Golub, yes; Mr. Kirchoff, yes; Dr. Politte, yes; Chairman McGuinness, yes. The motion passed by a vote of 8 to 1.

H. Correspondence from Mr. Jim Johnson requesting amendment of "C-8" Planned Commercial District Ordinance; P.Z. 9-89 Sullivan-Hayes Company; north side of Olive Boulevard at East and West Drives.

Mr. Duepner presented an in-depth report stating the amendment requests and the Department's recommendation relative to each request.

A motion to approve the Department's recommendation was made by Mr. Bryant and seconded by Ms. Domahidy. Upon a roll call the vote was as follows: Mr. Bidzinski, yes; Ms. Brown, yes; Mr. Bryant, yes; Ms. Burnett, yes; Ms. Domahidy, yes; Mr. Golub, yes; Mr. Kirchoff, yes; Dr. Politte, yes; Chairman McGuinness, no. The motion passed by a vote of 8 to 1.

(Mr. Hrabko and Mr. Golub left the meeting at this time.)

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. P.C. 104-84 Barken and Dubinsky (Valley Center Phase 3); "C-8" Planned Commercial District architectural elevations; south side of Chesterfield Airport Road, east of Long Road.

Ms. Kleiner presented the request for the Commission's review.

Concern was raised relative to the colors to be used for all surface materials. Samples were requested showing materials and colors to be used, as well as a colored rendering showing the actual colors to be used.

A motion to refer the matter to the Architectural Review Committee was made by Mr. Kirchoff and seconded by Dr. Politte. The motion passed by a voice vote of 8 to 0.

B. P.C. 20-88 Thomas Walker (Outdoor Equipment); "C-8" Planned Commercial District amended landscape plan; north side of I-64/Highway 40, east of Long Road.

Ms. Kleiner presented the request for the Commission's review.

A motion to approve the request was made by Mr. Kirchoff and seconded by Dr. Politte. The motion passed by a voice vote of 8 to 0.

C. P.C. 62-87 Clifford Curry (St. Louis Retirement Center); C.U.P. in "R-1" Residence District amended architectural elevations; north side of Clayton Road, southwest of Henry Avenue.

Ms. Kleiner presented the request for the Commission's review.

A motion was made by Mr. Kirchoff to have the Department request samples of all exterior materials proposed, showing colors to be used.

There was no vote on this item.

Mr. Duepner reminded the Planning Commission that there will be one (1) Planning Commission Meeting in December on the 11th. This would be the last meeting of this year. The first meeting of 1990 will be January 8th.

The meeting adjourned at 10.15 p.m.

Mr. Charles Bryant - Secretary

[MIN11-13]