V

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
NOVEMBER 14, 1990

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

PRESENT	ABSENT
Chairman Barbara McGuinness	
Ms. Mary Brown	
Mr. Jamie Cannon	
Mr. Dave Dalton	
Ms. Mary Domahidy	
Mr. Les Golub	
Mr. William Kirchoff	
Ms. Pat O'Brien	
Mr. Walter Scruggs	
Mayor Jack Leonard	
Mr. Doug Beach, City Attorney	
Councilmember Betty Hathaway, Ward I	
Mr. Jerry Duepner, Director of Planning/Economic Development	
Ms. Anna Kleiner, Planning Specialist	
Mr. Dan Olson, Planning Technician	
Ms. Sandra Lohman, Executive Secretary	

INVOCATION: Dr. Alan Bachert, King of Kings Lutheran Church

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - Chairman McGuinness read the opening comments.

A. A proposal from Mr. Albert A. Michenfelder and Mr. William Human requesting amending of the Planned Environment Unit (PEU) Ordinances Number 13,576 and Number 13,932 approved in conjunction with P.C. 47-87 MBM Partnership, Inc., and P.C. 80-88 Shell Oil Company. The requests seek amending to combine the two (2) portions of the Wildhorse PEU development within the City of Chesterfield into one (1) PEU Ordinance, and the deletion of fifteen (15) acres of land from the PEU development within the City of Chesterfield.

Mr. William Human spoke on behalf of the petition, noting the following:

- There are two (2) original Wildhorse PEU's, as a result of the Incorporation of Chesterfield; plus one (1) incomplete PEU, which is the subject matter of this discussion.

- The fifteen (15) acres was incorrectly included in a PEU Application by Shell Oil Company (Ordinance #13,576).

- He requested the City delete the Human tract [the fifteen (15) acres in question] from the Ordinance, as it is <u>not</u> part of the Wildhorse Development. He has no intention to develop the property further.

Carolyn C. Whittington, Attorney, spoke on behalf of Shell Oil Company, noting the following:

- It is requested that all property within the Chesterfield be located within one (1) PEU [one [1] Chesterfield City Ordinance].

- The zoning will remain the same, i.e., "R-1" One-Acre Residence District and "FPR-1" Flood Plain One-Acre Residence District.

- Shell Oil does not anticipate any changes to the zoning of the property.

- The authorized density for the Wildhorse Development remains one (1) lot per acre, with the request by Shell Oil.

- Shell is not proposing an increase in the number of lots. As a consequence of this request for the new PEU, the lots allowed to Shell for development will be decreased by sixteen (16).

- The original PEU, authorized by St. Louis County via Ordinance #13,576, permitted development of 467.3 acres. At that time, Shell Oil had an easement for access to Wild Horse Creek Road, and they subsequently negotiated to acquire additional area for development (Ordinance #13,932 authorized development of 53.5 acres pursuant to a PEU).

- The two (2) PEU's authorized by St. Louis County made a total of 520.8 acres. Under these PEU's, 475 total lots were allowed, and 449 total lots were proposed.

- The request before the Commission would allow 139.3 acres within Chesterfield (total lots allowed would be 459, total lots proposed would be 449).

- With approval of the request of Shell Oil, there would be one (1) ordinance to administer and enforce, making no change in the authorized density of the property.

COMMENTS/CONCERNS OF COMMISSION

- The Commission requested clarification of the original proposal by Shell Oil.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION - None

REBUTTAL - Waived

SHOW OF HANDS - Waived

B. P.Z. 24-90 Joseph O. Ernst and Edith M. Ernst & J & J Window Sales, Inc. a request for a change of zoning from "C-1" Neighborhood Shopping District and "R-3" 10,000 square foot Residence District to "C-8" Planned Commercial District, for a .6 acre tract of land located on the east side of Schoettler Road, approximately 200 feet south of Olive Boulevard (Locator Numbers 18S520789 and 18S520790). The proposed uses include a vehicle service center and vehicle repair facility.

Dan Olson, Planning Technician, made a slide presentation of the area in question, in order to set the stage for the Public Hearing.

Nancy Inman, Attorney, spoke on behalf of Dobbs Tire and Auto Centers as follows:

- She gave a history of the site, a brief description of the site, and identified the surrounding land uses.
- The proposed uses would be limited to under-the-hood services, mainly to automobiles.
- The Comprehensive Plan recommends Mixed Commercial Zoning for the proposed area.

- There would be a cross-access easement, as required by the St. Louis County Department of Highway and Traffic.

- Thirty-five parking spaces are proposed, with eight (8) bays.

- The proposed building would have three (3) doors facing the existing Shell Station.

- An eight (8) foot high, wooden fence with brick piers is proposed to encircle the site, with the exception of the area which borders the Shell Station [where there is an existing six (6) foot high fence].

- The request includes a pylon sign, not to exceed thirty (30) feet in height.

- The proposed building would consist of brown brick, shingle roof, and smoked glass windows with brown trim.

- This proposal would afford the proper disposal of waste oil, batteries, solvents, antifreeze, and tires.

- Dobbs performed a demographic study of the area to determine the need for this type of service facility.

- The used tires and batteries would be stored in the basement of the building.

- This location would have six (6) employees; one mechanic for every two (2) bays.

- Dobbs is a Goodyear Tire Dealer, offering the Goodyear Guarantee, and state-of-the-art inspection equipment.

- The noise levels will be lessened by the distance of the service building from surrounding properties.

COMMENTS/CONCERNS OF COMMISSION

- Concern was expressed regarding possible fire hazard of stored oil, batteries and tires.

Mr. Dennis Dobbs, Vice President of Dobbs, stated that, in fifteen (15) years of business, Dobbs has never had a fire in any of its facilities. The waste oil tanks would be made of stainless steel, stored within the service facility, and picked-up on a weekly basis.

- Clarification was requested regarding the number of vehicles on proposed site at any one time, and how often they would be stored overnight.

Mr Dobbs stated that Dobbs tries to service vehicles the same day in order to turn-over profits quickly. In some cases a part may need to be ordered; in this case the vehicle would be stored outside overnight. The facility would not handle the long-term, heavy maintenance type of work.

- There was concern over whether Dobbs operates any towing vehicles.

Mr. Dobbs stated that they use a licensed towing service. They are under contract with two (2) St. Louis County Police Departments.

- Concern was expressed about people bringing their waste materials to Dobbs for disposal.

Mr. Dobbs stated that they were not advertising this; however, if someone would want this service, a casing charge would be required. Dobbs keeps approximately 250 gallons of oil on hand. The maximum number of gallons of waste oil drained would be fifty (50) to sixty (60) gallons per week.

- The Commission questioned the number of parking spaces required by Dobbs.

Ms. Inman stated they are required to have thirty (30) spaces. This would be based on three (3) parking spaces per bay, plus one (1) space for each employee, and one (1) space for each company vehicle. Technically, Dobbs would have four (4) extra parking spaces. If the access easement goes through, two (2) of these would be lost.

- Concern was expressed over the location of the thirty (30) foot sign. A possible change of Logo, which would conform to area, was requested.

Ms. Inman said Dobbs would be willing to work with the Commission to find a solution to the sign concerns.

- The Commission requested a field trip to view some of the existing Dobbs facilities.

- Clarification was requested regarding lighting of the proposed facility.

Mr. Dobbs stated that the lighting would be minimal.

- The Commission inquired about the size of proposed garage doors.

Mr. Dobbs stated the doors would be ten (10) feet high, to service standard automobiles and vans. This facility would not service commercial vehicles and trucks.

- Clarification was requested regarding the footage of existing stub street, if it were to extend to Schoettler or Olive.

Director Duepner stated the Department of Planning/Economic Development would check on this matter.

- Concern over the effect of noise to surrounding areas.

Mr. Dobbs stated that the garage doors would remain open approximately six (6) months out of the year. Usually half of them are closed at all times due to wind draft.

- The Commission expressed a dislike for the vertical v-groove over the top of the building.

Ms. Inman said that Dobbs would work with the Commission regarding the metal facia.

- Clarification of the recommended use of this parcel, as stated in the Chesterfield Comprehensive Plan, was requested.

Director Jerry Duepner stated that the subject site is identified in the Urban Core Area as a high-density retail, office and residential area. The designation includes this site, as well as the west side of Schoettler Road, and the general area within the intersection of Highway 40 and Clarkson/Olive.

- The Commission inquired about the location of a trash container.

Ms. Inman stated that the trash container could be placed in the basement with use of a conveyor belt, but that Dobbs preferred an outside location [behind the proposed eight (8) foot fence]. The container would be the size of about two (2) parking spaces.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION

1. Mr. Mel Sands, 34 Conway Cove Drive, Chesterfield, MO 63017, on behalf of Conway Cove Condominium Association.

REBUTTAL

Ms. Inman stated the following:

- Dobbs would install a sprinkler system and make whatever changes are deemed necessary by Chesterfield and the Fire Department.
- Dobbs would consider other options regarding the proposed thirty (30) foot sign, if the Commission so desired.

Mr. Dobbs stated the following:

- The proposed facility would be a quality, long-term investment.
- Dobbs will try to eliminate overnight storage of vehicles.
- Several locations of existing free-standing Dobbs stores were given.

SHOW OF HANDS

5 In Favor 8 In Opposition

The meeting was recessed for ten (10) minutes.

APPROVAL OF THE MINUTES

The Minutes were approved from October 22, 1990, with additions/deletions as noted.

COMMITTEE REPORTS

A. **Ordinance Review Committee** - No Report

B. **Architectural Review Committee**

Commissioner Cannon stated that the Committee met today to answer questions and affirm an earlier decision regarding Chesterfield Industrial Park, to be discussed later in the meeting.

C. **Site Plan/Landscape Committee**

Commissioner Kirchoff stated that the Committee will set up a meeting upon receipt of a draft report from the Department of Planning.

D. **Comprehensive Plan Committee** - No Report

E. **Procedures Committee** - No Report

OLD BUSINESS

A. Correspondence from Ed Holthaus, Sr., concerning Chesterfield Industrial Park; south side of Chesterfield Airport Road, west of Long Road.

Director Duepner stated that the Architectural Review Committee met earlier this evening to review the elevations for Chesterfield Industrial Park, specifically Lot 8, and correspondence received from Mr. Ed Holthaus. Mr. Duepner stated the request of Mr. Holthaus.

Commissioner Cannon reported that the Architectural Review Committee went to the Chesterfield Industrial Park on October 27, 1990. The Committee found that the standards required by the Planning Commission were being met. Mr. Cannon stated the Committee agreed to re-confirm the earlier decision to require brick on the front and side elevations, and to use a brick-like block on the rear, or service, elevation.

A motion was made by Commissioner Cannon to confirm the Commission's earlier decision. The motion was seconded by Commissioner Domahidy, and passed by a voice vote of 9 to 0.

NEW BUSINESS

A. P.Z. 20-90 Donald H. and Margaret M. Kemner; a request for a Commercial Service Procedure in the "NU" Non-Urban District; west side of Olive Boulevard, approximately 400 feet south of Appalachian Trail Drive.

Planning Specialist Anna Kleiner presented the request and the Department's recommendation of approval, with conditions stated in report and Attachment A. Ms. Kleiner added the following to Attachment A, under Miscellaneous Conditions, as follows:

k. No temporary signs of any type, except for a permitted real estate sign for the subject property, may be permitted on this site.

A motion to approve the Department's recommendation was made by Commissioner Domahidy, and seconded by Commissioner Golub.

COMMENTS/DISCUSSION BY COMMISSION

- Concern was expressed over the possibility of additional signage.
- The existing Legacy Home sign will remain until permit expires (approximately one (1) year from this date).
- The Commission expressed a desire for utilization of the existing paved area for parking.
- The Commission expressed a desire to explore the possibility of a combined driveway for the Kemner and Luster/Thoman property, which would extend straight-back to the rear of the structure.

Upon a roll call, the vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Golub, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Chairman McGuinness, yes. The motion passed by a vote of 9 to 0.

B. P.Z. 21-90 Noel T. Luster and Edward W. Thoman; a request for a Commercial Service Procedure in the "NU" Non-Urban District; west side of Olive Boulevard, approximately 300 feet south of Appalachian Trail Drive.

Planning Specialist Kleiner presented the request and the Department's recommendation of approval, with conditions stated in report and Attachment A. Ms. Kleiner added the following to Attachment A, under Miscellaneous Conditions, as follows:

k. No temporary signs of any type, except for a permitted real estate sign for the subject property, may be permitted on this site.

A motion to approve the Department's recommendation was made by Commissioner O'Brien, and was seconded by Commissioner Domahidy.

COMMENTS/DISCUSSION BY COMMISSION

- The Commission discussed the possibility of combining the access and parking areas of the Kemner and Luster/Thoman properties, to be located behind the existing buildings.

- The road improvements to Olive would be finished prior to access finalization.

- The Commission requested the Department of Planning present both the Kemner and Luster/Thoman properties jointly at the time of final site plan approval before the Commission.

Upon a roll call, the vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Golub, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Chairman McGuinness, yes. The motion passed by a vote of 9 to 0.

C. P.Z. 22-90 Sverdrup Investments, Inc.; a request for a change of zoning from "NU" Non-Urban District, "C-8" Planned Commercial District, and "FPC-8" Flood Plain Planned Commercial District to "C-8" Planned Commercial District, Amended "C-8" Planned Commercial District, "FPC-8" Flood Plain Planned Commercial District, and Amended "FPC-8" Flood Plain Planned Commercial District; south side of Conway Road, approximately 250 feet west of White Road.

Director Duepner requested that this matter be held until December 10, 1990 Commission Meeting, to allow the Department to gather necessary information for report to Commission.

The Commission voted 9 to 0 to hold this matter.

D. P.Z. 23-90 City of Chesterfield Planning Commission; a proposal to amend Sections 1003.107 "NU" Non-Urban District through 1003.125 "R-8" Residence District of the Zoning Ordinance of the City of Chesterfield to allow Substance Abuse Treatment Facilities as a Conditional Use.

Planning Specialist Kleiner presented the request and the Department's recommendation of approval, with conditions in report and Attachment A. Ms. Kleiner added a note that Senate Bill 728 requires an applicant to provide verification that written notification of the proposal has been sent to the property owners within 185' of the proposed facility **prior** to its approval.

A motion to approve the Department's recommendation was made by Commissioner Brown, and seconded by Commissioner Scruggs. Upon a roll call, the vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Golub, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Commissioner Scruggs, yes; Chairman McGuinness, yes. The motion passed by a vote of 9 to 0.

E. Correspondence from the Director of Planning/Economic Development concerning Section 1003.183 Density Development Procedure of the Zoning Ordinance of the City of Chesterfield.

Director Duepner stated that, at the request of the Planning and Economic Development Committee of the City Council, the Department is requesting this Procedure be referred to the Ordinance Review Committee to consider removal from the Chesterfield Zoning Ordinance, or to require a petition and a Public Hearing to modify the Ordinance.

Chairman McGuinness directed this item to be sent to the Ordinance Review Committee for review and consideration.

F. Correspondence from Mr. Merl C. Wilson requesting extension of time for submittal of a Final Development Concept Plan; P.C. 141-79 Chesterfield Village, Inc.; northwest quadrant of U.S. Highway 40 and Olive Boulevard.

Planning Technician Dan Olson presented the request and the Department's recommendation of approval.

A motion to approve the Department's recommendation was made by Commissioner O'Brien, and seconded by Commissioner Domahidy.

COMMENTS/CONCERN OF COMMISSION

- Commission expressed desire for more information regarding development in this area.

Director Duepner suggested that the Department of Planning/Economic Development prepare a list of development (proposed and approved) for the Chesterfield Village area.

G. Correspondence from the Chesterfield Fire Protection District concerning Wilson Spur Road.

Director Duepner stated this item was presented for informational purposes.

Councilmember Hathaway stated that the Council has requested a meeting with the Fire Protection District to discuss current and future requirements.

No action was necessary by the Commission.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. P.C. 22-88 Charles Hennemeyer, Inc. (Savings of America); "C-8" Planned Commercial District Exterior Mosaic; east side of Clarkson Road, north of Baxter Road.

Planning Technician Dan Olson presented the request and the Department's recommendation of approval.

A motion was made by Commissioner Kirchoff, on behalf of the Site Plan Review Committee, to approve the Department's recommendation. The motion was seconded by Commissioner Cannon. Upon a roll call, the vote was as follows: Commissioner Brown, yes; Commissioner Cannon, yes; Commissioner Dalton, no; Commissioner Domahidy, yes; Commissioner Golub, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, no; Commissioner Scruggs, yes; Chairman McGuinness, no. The motion passed by a vote of 6 to 3.

The meeting adjourned at 10:00 p.m.

William Kirchoff, Secretary

[MIN11-14]