

V

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
December 11, 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 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 Department of Planning

Councilmember Dick Hrabko, Ward IV

INVOCATION: Mr. Jerry Duepner, Director of Planning/Economic Development.

PLEDGE OF ALLEGIANCE: Chairman McGuinness

INTRODUCTORY REMARKS - Dr. Alan Politte

PUBLIC HEARINGS

- A. P.Z. 34-89 Benjamin D. Houlihan, Jr.; a request for a change of zoning from "NU" Non-Urban District to "M-3" Planned Industrial District for a 5.2 acre tract of land located on the south side of Olive Street Road, approximately 3400 feet east of Eatherton Road.

Mr. Robert Koster, Attorney with the firm of King & Koster, spoke on behalf of the petitioner. Mr. Koster made the following comments.

- o The request is for a change of zoning from "NU" Non-Urban District to "M-3" Planned Industrial District for a 5.164 acre tract of land located at 18620 Olive Street Road.
- o One entrance from Olive Street Road is requested.
- o A total of nine (9) parking spaces is proposed for the development, seven (7) along the western edge of paved area [one (1) for handicapped], and two (2) which will be located in an existing garage. The parking area surface will be blacktop.

- o The petitioner, Chesterfield Fence Company, has this property under contract and will be the occupant.
- o The existing home is to serve as the office area, to have a staff of two (2) or three (3) persons. Three (3) additional staff members would conduct their work outside of this area.
- o A six (6) foot chain-link fence with barbed wire topping, is proposed along the back of the property. Within this fenced area is proposed a 4800 square foot building. The building and fenced area would be the area for all material storage, and the majority of the work would be conducted within this building.
- o The hours of operation would generally be 8 a.m. to 4:30 p.m. (in the Spring and Summer until 6:00 p.m.). Saturday hours would be 9:00 a.m. to 3:00 p.m. year round.
- o The business would generate a very small amount of traffic.

Comments/Questions from Commission Members:

- o A wood fence was requested, in lieu of a chain-link fence with a barbed wire topping.
- A. Mr. Koster agreed to this request.
- o The need for lighting on property.
- A. Mr. Koster said lighting would be considered only if the City required same.
- o The desire for landscaping around the fence.
- A. Mr. Koster said that landscaping would be added around the fence area. He further stated that the petitioner would prefer an eight (8) foot fence.
- o What is the type of building to be constructed?
- A. Mr. Koster stated the petitioner had not decided on materials for construction of the building, but would meet the City's requirements.
- o Has theft been a problem?
- A. Mr. Koster stated that it had not.
- o Will all materials be stored within fenced area, and will existing trees be retained?

- A. Mr. Koster stated that all materials would be stored within fenced area, and existing trees would be retained. He further stated the petitioner's desire for an eight (8) foot high wood fence to provide effective screening and security.

Director Duepner commented regarding the required setback of the proposed fence. He stated that the setback depends upon the Ordinance which created the District in which the fence is located, and that he would clarify this in the Department's report to the Commission on this matter.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION - None

REBUTTAL - None

A show of hands indicated three (3) in favor, and zero (0) opposed.

- B. P.Z. 35-89 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 1003.168 relative to off-site signs for churches and houses of worship.

Director Duepner stated there is currently no provision in our Ordinance permitting off-site directional signs for churches or houses of worship. He further stated that the petition is before the Planning Commission in response to Resolution No. 69 of the City Council, which was passed on November 6, 1989. Mr. Duepner made the following comments.

- o PED Committee recommended a minimum of two (2) free-standing signs for churches and houses of worship, having a total outline area of four (4) square feet.
- o The signs could contain the name, location, hours of service, directions, logo, etc.
- o Said signs would be located within a two (2) mile radius of the church or house of worship it represents.
- o The setbacks for such signs would depend upon the Zoning District in which they are erected.

Comments/Questions from Commission Members

- o Clarification of the total number of churches and houses of worship within the City. Possibility of control over number of signs allowed.
- A. Mr. Duepner stated that there are approximately thirty (30) to thirty-five (35) at present. The signs could be approved based upon the location.

- o Possibility of provision for a larger sign to accommodate existing church/houses of worship signs.
- A. Mr. Duepner stated the proposal is for four (4) square feet, but the final Ordinance could be larger or smaller. The four (4) square foot requirement was the recommendation from the PED Committee.
- o The possibility of schools and other public institutions petitioning the City for similar sign authorizations.
- A. Mr. Duepner stated this is a possibility.
- o The requirement of setbacks for signs.
- A. Mr. Duepner stated that this would depend upon the road right-of-way and the District in which the sign was erected. He further stated that if the structure was less than six (6) feet in height, the sign could be right up next to the right-of-way.
- o Procedure for advertising for meetings held in buildings other than churches, i.e., homes, school buildings, etc.
- A. Mr. Duepner said this would require some additional research.
- o The responsibility for maintenance for the signs.
- A. Mr. Duepner stated that this would probably be the joint responsibility of the property owner and the sign owner.

SPEAKERS IN FAVOR

1. Dr. J. Richard Schnatmeier, Pastor of St. Thomas United Church of Christ, 17842 Wild Horse Creek Road, Chesterfield, MO 63005.
2. The Reverend James Lacy, First Baptist Church of Creve Coeur, 1553 Creve Coeur Mill Road, Chesterfield, MO 63017.
3. Ms. Barbara Knight, representing All Saints Lutheran Church, 15999 Quiet Oak Road, Chesterfield, MO 63017.
4. The Reverend Ralph Green, Pastor of Antioch Baptist Church, 18319 Wild Horse Creek Road, Chesterfield, MO 63005.
5. The Reverend Carlton E. Norton, Pastor of St. John's United Church of Christ, 15370 Olive Boulevard, Chesterfield, MO 63017.

SPEAKERS IN OPPOSITION - None

A show of hands indicated six (6) in favor, and zero (0) opposed.

APPROVAL OF THE MINUTES - The minutes of the Planning Commission Meeting of November 27, 1989 were approved.

COMMITTEE REPORTS

Comprehensive Plan Committee

Ms. Domahidy encouraged the Commission Members to update themselves on the progress of the Plan, and stated that the Comprehensive Plan Committee will hold a Public Workshop on Wednesday, December 13th, at 7:00 p.m., at City Hall. She further stated that the Sub-Committee will meet following that workshop in order to evaluate the proposed Plan and the comments expressed at the Workshop. Ms. Domahidy said the intent is to have a Public Hearing before the Planning Commission in January 1990.

Ordinance Review Committee

Mr. Bryant stated that the Committee is currently reviewing two (2) matters, both of which are still pending, and there is no report at present.

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.

The Planning Commission took no action on this item.

NEW BUSINESS

- A. P.Z. 33-89 City of Chesterfield Planning Commission; 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. Duepner stated the request and the Department's recommendation of approval, as stated in the report to the Commission.

A motion to approve the Department's recommendation was made by Ms. Brown and seconded by Mr. Bryant.

Mr. Beach stated recent information was obtained relative to Department's report would change [Section 3.2] to be 30%, in lieu of 10%, and [Section 3.3] to be two-thirds (2/3) in lieu of three-fourths (3/4).

The amendment was accepted to read as follows:

3(2) Protest by Nearby Property Owners to Recommendation of Approval. Owners of thirty (30) percent (by area, exclusive of streets and alleys) of the property within 185 feet of the property in question, may file a Protest with the City Council against the Planning Commission's decision or recommendation of approval of a Special Procedure as specified herein. The Protest shall be filed within nine (9) days after the Planning Commission decision. The Protest shall be in writing and shall be filed in duplicate with the City Clerk, accompanied by the signatures of property owners in opposition. The Protest shall include notarized verification from the person(s) collecting protestant's signatures, that all signatures are correct and real. The Protest shall specifically state how the application, as initially filed or subsequently modified, fails to meet the criteria set forth in the regulations of the Special Procedure in question.

3(3) City Council Decision. Following the hearing by the City Council or its Committee on Planning and Zoning on a appealed or protested application, the City Council may affirm, reverse or modify, in whole or in part, any determination of the Planning Commission. An affirmative vote of two-thirds (2/3) of the members of the whole City Council shall be required to reverse or modify any determination of the Planning Commission with respect to a Conditional Use Permit granted in accordance with procedures established in Section 1003.181 of this Chapter. A valid protest petition shall have the effect of extending the time for introduction of a bill beyond the ninety (90) day period established in Section 1003.300 of this Chapter.

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 9-0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. P.C. 87-86 Leo Eisenberg, Inc. (Lord of Life Lutheran Church); PEU in "R-6A" Residence District amended landscape plan; east side of Clarkson Road, south of Baxter Road.

Ms. Kleiner stated the request and the Department's recommendation of approval.

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

The meeting adjourned at 8:15 p.m.

Mr. Charles Bryant - Secretary

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