

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
DECEMBER 11, 2006**

The meeting was called to order at 7:05 p.m.

I. PRESENT

Mr. David Banks
Mr. Fred Broemmer
Ms. Wendy Geckeler
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Gene Schenberg
Ms. Victoria Sherman
Chairman Maurice L. Hirsch, Jr.

ABSENT

Mr. David Asmus

Mayor John Nations
Councilmember Mary Brown, Council Liaison
City Attorney Rob Heggie
Mr. Mike Geisel, Acting Director of Planning
Ms. Aimee Nassif, Senior Planner
Ms. Mara Perry, Senior Planner
Ms. Jennifer Yackley, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner Schenberg

III. PLEDGE OF ALLEGIANCE – All

Chair Hirsch acknowledged the attendance of Councilmember Mary Brown, Council Liaison; Councilmember Jane Durrell, Ward I; Councilmember Bruce Geiger, Ward II; and Councilmember Connie Fults, Ward IV.

PUBLIC HEARINGS

Chair Hirsch asked for a motion to change the order of the Public Hearings to hear item IV.A as the third Public Hearing rather than the first. Commissioner Broemmer made a motion to amend the agenda to hear Public Hearings IV.B. and IV.C. before IV.A. The motion was seconded by Commissioner Perantoni and **passed by a voice vote of 8 to 0.**

Commissioner Sherman read the "Opening Comments" for the Public Hearings.

- B. P.Z. 28-2006 Chesterfield Neighborhood Office Park (17655 and 17659 Wild Horse Creek Road):** A request for a change of zoning from "NU" Non-Urban to "PC" Planned Commercial District with a "WH" Wild Horse Creek Road Overlay for 8.04 acre tract of land located north of Wild Horse Creek Road and west of Long Road. (18V510095 & 18V510040) Proposed Uses include:
1. Professional, business, government or institutional office;
 2. Medical and dental office, excluding surgical centers;
 3. Parks, parkways, and playgrounds, public or private not-for-profit;
 4. Forest and wildlife reservations including conservation projects.

Ms. Aimee Nassif, Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Nassif stated the following:

- This project is within the "WH" Wild Horse Overlay District.
- There are 3 land use designations within the "WH" Overlay District:
 - Neighborhood Office;
 - One-Half Acre Residential; and
 - One Acre Residential.
- This parcel of land falls within the "Neighborhood Office" portion of the "WH" District.
- Those parcels of land within the Neighborhood Office portion may petition to rezone to "PC" Planned Commercial District.
- The uses being requested by the Petitioner are available uses within this area.
- Items Currently Under Review - Adherence to the Comprehensive Plan for the "WH" District and Section 1003.110 of the City of Chesterfield Zoning Ordinance. Those items include, but are not limited to, the following:
 - Roadway System
 - Buffers
 - Pedestrian Circulation
 - Open Space and Preservation of Area
 - Parking Requirements - Parking requirement states that there shall be a maximum of 9 parking spaces within the Neighborhood Office Area of the WH District. The Preliminary Plan shows 197 parking spaces. Section 1003.110 states that the requirements may be modified where good cause may be demonstrated to the Planning Commission. Said modifications shall require a two-thirds vote.

Ms. Nassif explained that the parking requirements for the Overlay District were established to prevent regular Planned Commercial areas (large buildings with parking lots) in this section of the Wild Horse Overlay. The Wild Horse District Ordinance requires a

maximum of 9 spaces as a way of controlling use and building size in the bowtie area – similar to a Residential Business Use.

- For this project there will be three (3) votes:
 - Vote on the rezoning from Non-Urban to Planned Commercial;
 - Vote on the “WH” Overlay District; and
 - Vote on the modification to the parking requirements.

Responding to questions from the Commission, Ms. Nassif stated the following:

- **Regarding Parking:** Nine parking spaces would be allowed per parcel – regardless of the size of the parcel. More parking could be allowed on a large parcel as an exception, requiring a separate vote. A large parcel could also be platted into several different lots.

PETITIONER’S PRESENTATION:

1. Mr. Ed Griesedieck, Attorney for the Petitioner – Planned Provisions, LLC, 515 North 6th Street, Ste. 2400, St. Louis, MO gave a PowerPoint Presentation and stated the following:
 - Planned Provisions is the developer of the subject petition and owner of the property.
 - The parcel is 8.04 acres in size. It is separate and distinct from the daycare center.
 - The location of the site is 17655-17659 Wild Horse Creek Road and is presently vacant.
 - The request is for a change of zoning from Non-Urban to Planned Commercial within the Wild Horse Overlay. The Overlay (Ordinance 2286) allows only five uses – Professional Office Building, Medical Office Building, Park - public or private, Conservation Projects, and Schools.
 - The WH Overlay states that the scenic character of the area should be maintained and that development should not negatively impact the adjacent areas. The Overlay also recognizes that the subject site is next to the airport – making it inappropriate for residential uses.
 - The subject site is within 1920 feet of the airport, mandating a rezoning to Planned Commercial.
 - They have worked with the Staff for over three years making multiple changes to the plans for the site. They have also worked with Councilmembers and the various agencies involved with the development.
 - The Tree Stand Delineation Plan shows that the bulk of the trees on the site will be maintained. They have 57% open space for the site - more than what is required.
 - At the City’s request, the petitioner will be building an east/west roadway, which will allow for access to the parcels east and west of the subject site, along with access to the subject site. The road is being built at tremendous expense to the petitioner.
 - The closest proposed building is 600 feet away from Wild Horse Creek Road and 10 feet below it.

- All four proposed buildings are consistently-themed from an architectural point of view – all the buildings will have the same or similar materials on all four sides of the buildings. They are all low-rise, one-story buildings. No building will exceed 35 feet in height. They will all be brick, stone and glass. Each of the four buildings will be about 12,000 square feet – having about 48,000 square feet of office space for the entire parcel of 8.04 acres.
 - The site is heavily landscaped with existing landscaping and with a dense landscape buffer to be provided both to the south of the site and along the perimeters of the site. Large trees are at the rear of the site, with heavy, more ornamental plantings along the front of the site.
 - There are two points of ingress/egress for the parking for the four buildings. The bulk of the parking is located within the interior of the site behind the landscaping.
 - Access to the site is off of the roadway connecting to Wild Horse Creek Road, which is a lighted interchange.
 - The parking is calculated as under the PC Ordinance. Minimal parking is determined by the Chesterfield City Code.
 - In reviewing the various uses allowed under the WH, the petitioner does not feel that 9 parking spaces are adequate for such uses. The petitioner then looked at the PC Zoning Ordinance, which would allow for the parking as proposed. The parking is consistent with the daycare center.
 - The hours of operation for the office buildings are typical office hours.
 - They have provided a walking path throughout the site through some of the open space. Access has been provided to the parcel to the north. They anticipate that this will be part of a larger trail system for the City.
 - Storm water is consistent with MSD and City standards. Trash receptacles are located throughout the site in sight-proof containers. Sidewalks have been provided throughout the site and up to Wild Horse Creek Road. They have low-level safety lighting consistent with the City's standards – all shadowed-boxed to minimize the off-fall of light. Monument signage will be consistent with City standards. They are presently working with the Monarch Fire District to resolve some open issues.
 - They believe the neighbors to the east and west of the site support the project.
 - The density is consistent with the density of the daycare center immediately to the south. It is also consistent with the Comprehensive Plan.
2. Mr. Branden Harp, Civil Engineer, 11402 Gravois Road, St. Louis, MO was available for questions.
 3. Mr. David Dial, Architect, 425 S. Woods Mill Road, Chesterfield, MO was available for questions.

Responding to questions from the Commission, Mr. Griesedieck stated the following:

- **Regarding what the open space and floor area ratio would be if the bluff area to the north is excluded:** Speaker did not have this information available at this time.
- **Regarding changes to the present petition vs. previous petition:** The number of buildings has been reduced from 5 to 4; the square footage has been reduced; additional landscaping has been added; the buildings have been re-configured so they are not as visible from Wild Horse Creek Road; and parking has been moved to the interior of the site.
- **Regarding roofs:** All buildings have hipped roofs – no flat roofs.
- **Regarding height of the retaining wall:** The wall meanders in height from 2 feet to 20 feet.
- **Regarding the walking trail:** Some parts of the walking trail are in hilly areas. The trail goes down to the railroad tracks. The trail is being put in at the request of the City. Mr. Mike Geisel, Acting Director of Planning, stated that the request for a walking trail was made so that pedestrians from the Wild Horse area could get to the levee trail, which is currently being planned.
- **Regarding the area between the east/west roadway and the parking lot:** Commissioner Sherman stated that she would be looking for tall trees in this area.
- **Regarding the possibility of water fowl in swales/ditches near the airport:** There will not be any standing water on the development so it is not anticipated that the site will attract water fowl for any length of time. The proposed plan will be presented to the airport. Chair Hirsch stated that Public Works will also be reviewing the plan for drainage and its impact.

SPEAKERS IN FAVOR:

1. Mr. John Wilmas, 17719 Wild Horse Creek Road, Chesterfield, Mo stated the following:
 - He has lived on his property for over 61 years; he is the third generation to live there; and he is speaking on behalf of the Wilmas family.
 - Their property is directly adjacent to the subject property.
 - They have met with the owner/developer of the property to review the plans and they are in full support of the petition. They believe the proposed development is appropriate for the area with no adverse impact to their farm.
 - With the airport adjacent to the north of this property, residential development is not appropriate. Airport noise and use continues to increase every day.

2. Mr. Frank Emsick, Wild Horse Subdivision, 17434 Highland Way, Chesterfield, MO stated the following:
 - He has reviewed the plans with Mr. Henry and he supports the proposed development.
 - He likes the idea of having medical offices nearby and feels it is a good asset to the area and the community.
 - He feels the development has a very high quality design with brick buildings and a low profile, which is suitable to the area.
 - He understands that the neighbors adjacent to the property are in support of the proposal.
 - He also understands that there are a number of neighbors in the Wild Horse Subdivision who are not in support of it but he also knows of many residents in Wild Horse who support the petition.
 - He understands that some residents are in favor of a residential development for the subject site but he feels residential is not appropriate.
 - He asked the Commission to check into property values of homes next to airports with high noise levels.

3. Mr. William Kirchoff, 17627 Wild Horse Creek Road, Chesterfield, MO stated the following: (Chair Hirsch recognized Mr. Kirchoff as a past member of the Planning Commission.)
 - His property is immediately east of the subject site.
 - He sees the proposed development as a welcome addition to the neighborhood.
 - He and his wife reviewed the project with Mr. Henry and had two concerns, which the developer has agreed to address:
 - They prefer that the eastern building be moved further away from the property line.
 - They ask that attention be given to some enhanced landscaping between the subject site and their property.

4. Mr. Donald Bowers, 17525 Wild Horse Creek Road, Chesterfield, MO stated the following:
 - He owns property east of the site.
 - He feels the petition is an excellent proposal for “Neighborhood Office”.
 - He has reviewed the drawings and feels it will be an attractive addition to the neighborhood.

Commissioner Sherman asked both Mr. Bowers and Mr. Kirchoff if they have concerns about the proposed 197 parking spaces. Mr. Bowers replied that he had no concerns about the proposed parking. He noted that there are large parking lots at the school and nearby churches and the proposed parking is in keeping with the development. Mr. Kirchoff replied that the parking spaces can be easily camouflaged with landscaping. From his property, the site is 5-6 feet lower so they probably won't see any of the parking.

SPEAKERS IN OPPOSITION:

1. Ms. Renee Heney, Wild Horse Subdivision, 1513 Honey Locust Court, Chesterfield, MO stated the following:
 - She is speaking on behalf of Wild Horse Creek Road Association.
 - She noted that this plan has 8 acres with 4 office buildings vs. Planned Provisions original submittal of 10 acres with 6 office buildings.
 - They feel the plan has not changed from the original submittal and their concerns remain the same.
 - They are very concerned with the density of the development and they do not feel it is consistent with the area.
 - They feel the use of the buildings will dramatically increase the volume of traffic.
 - The proposal does not include a lot of green space.
 - Their concern about density and traffic is magnified by the rest of the bowtie area being designated for Neighborhood Office use.
 - They supported the daycare center but are concerned about the proposed petition. She noted that the City Council denied the original submittal and they do not see many changes to the plan, therefore, they oppose the subject petition.

SPEAKERS – NEUTRAL: None

REBUTTAL:

1. Mr. Ed Griesedieck, Attorney for the Petitioner, stated the following:
 - The daycare center is two acres with 12,000 sq. ft. of building, which is the same density as the subject petition – 6,000 sq. ft. per acre.
 - The subject development is two football fields away from Wild Horse Creek Road with one-story buildings.
 - The bulk of the parking has been moved into the interior of the site with heavy landscaping.
 - They feel the proposal is low intensity, low impact, low-rise, and has low visibility.
 - The site also has the east/west access road to keep traffic off of Wild Horse Creek Road.

ISSUES:

Ms. Nassif stated that since this is the first project in the bowtie area, buffering to the adjacent properties along the roadway, parking setbacks and building setbacks will be reviewed in depth by the Planning Department and the Department of Public Works. Elevations, lighting and signs will be looked at more specifically at Site Plan review. All of the criteria in the Wild Horse Ordinance will be in the Attachment A as well.

The following issues were noted:

1. What would be the open space and the floor area ratio if the bluff area to the north is excluded?

2. Compare the square footage, the amount of buildings, density, height of buildings, and parking of the subject proposal to the previous plans.
3. What type of buffering is being proposed along the internal roadway? What would be the height of the landscaping in this area? Ms. Nassif noted that the Landscape Plan is not required until Site Plan review so she was not sure how specific the Petitioner could be at this time. They are required to provide a 30-foot buffer along the roadway.
4. Provide enhanced landscaping between the subject site and the property directly to the east.
5. Can the eastern building be moved further into the development?
6. Traffic concerns
7. Density concerns
8. Because of the large buildings on the site, heavy landscaping should be provided.
9. Provide the standards for buffering between commercial properties, and buffering between commercial properties and residential properties. Ms. Nassif stated that there is no landscape buffer requirement between two commercial properties; between commercial and residential or non-urban properties, the requirement is 20 feet.

- C. P.Z. 29-2006 Wildhorse Bluffs (Wildhorse Partners LLC):** A request for a change of zoning from a “NU” Non-Urban District to an “E-One Acre” Estate District with a “WH” Wild Horse Creek Road Overlay for an approximately 4.9 acre tract of land located north of Wild Horse Creek Road and west of Long Road.

Ms. Jennifer Yackley, Project Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Yackley stated the following:

- The Public Hearing Notices were posted on November 22, 2006.
- Items Under Review by the Department:
 - Structure Setbacks
 - Landscape Buffering – The E-Districts require 30-foot landscape buffering around the perimeter.
 - Adherence to Wild Horse District Criteria
 - Preservation of Natural Features
 - Affect of changes to Long Road and Wild Horse Creek Road intersection on the site
- Parcel is located within the One-Acre portion of the Wild Horse District.
- Parcels in this area must rezone to an Estate District. Petitioner wants to rezone to an E-One Acre Estate District.
- Two votes will be required for this rezoning:
 - A vote on the rezoning from Non-Urban to E-One Acre; and
 - A vote on the Wild Horse District Overlay requirements.

Commissioner Banks expressed concern about voting for the Overlay after voting for the rezoning as he is not sure what the conditions will be in the Overlay. Ms. Nassif stated that the Attachment A will have a separate section for the Wild

Horse District spelling out all the criteria. Staff will point out any discrepancies or any requirements that were not met. City Attorney Heggie stated he would review how the votes are structured – it's possible that the vote for the Overlay will be taken before the vote for the rezoning.

PETITIONER'S PRESENTATION:

1. Mr. Paul Ground, Attorney for Wild Horse Partners, LLC, 14611 Manchester Road, Manchester, MO stated the following:
 - They believe the proposed development is consistent with the Wild Horse Overlay; consistent with the uses in the area; and consistent with the neighborhood.
 - They are faced with a unique tract of land because of the shallow shape of the lot – the subject site is the “knot of the bowtie”. There is not much depth with which to work thereby limiting what can be done with the land.

Responding to questions from the Commission, Mr. Ground stated the following:

- **Regarding whether Monarch Trees 83 and 83A will be saved:** Ms. Yackley stated that it appears that #83 will be saved but she is not sure what 83A is because it is not listed.
- **Regarding the length of the driveway and the number of cars that could be parked in the driveway:** Mr. Ground was not sure of the length of the drive but noted that the garages are side-entry, allowing at least two cars to be parked in front of each garage.

SPEAKERS IN FAVOR:

1. Mr. Donald Bowers, 17525 Wild Horse Creek Road, Chesterfield, MO stated the following:
 - His family owns 3-1/2 acres adjoining the subject property to the west and they support the petition.
 - The subject site is in a high noise area with noise levels measuring as high as 100 decibels. He asks that the Commission consider two things:
 - Requiring the developer to file a noise disclosure with the future owners of the property.
 - Requiring noise insulation on the proposed homes since the bluff is exposed to the end of the runway.

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Structure Setbacks
2. Landscape Buffering
3. Adherence to Wild Horse District Criteria
4. Preservation of Natural Features

5. Affect of changes to Long Road and Wild Horse Creek Road intersection on the site
6. Find out if Monarch Tree #83 will be saved. Find out what #83A is.
7. Find out the length of the driveway and the number of cars that can be parked in the driveway with the idea of visitor parking.
8. Explore the possibility of having one curb cut with one branching driveway to all four of the houses. It was noted that comments would be forthcoming from both MoDOT and St. Louis County with respect to curb cuts.
9. Noise disclosure – Ms. Yackley stated that the City does require noise disclosure.
10. Potential noise insulation for the proposed homes.

- A. P.Z. 4-2006 City of Chesterfield (Tree Manual):** A request to repeal City of Chesterfield Ordinance 2235 and replace it with a new ordinance that revises the procedures and requirements for reviewing and approving landscape plans, tree stand delineations, and tree preservation plans.

Ms. Yackley, Project Planner, gave a PowerPoint presentation and stated the following:

- Staff provided copies of the new Tree Manual to several area landscape architects and tree specialists for comment. Staff reviewed those comments, as well as comments from both the Planning and Public Works Departments.
- As a result of this collaboration, Staff is proposing the following amendments:
 - Section XIII Landscape Proposals Table 2 (page 15):
Inserted language to require buffers along collector and arterial roadways for all developments, as required in previous versions of the City's Tree Manual.
 - Section XIII Landscape Proposals (page 19):
Language was added to prevent the placement of street trees and shrubs within lines of sight and/or the sight distance triangle.
 - Section XIII Landscape Proposals Table 4 (page 19):
Requirements were added for tree size and tree species for non-residential subdivisions.
 - Appendix A-Recommended Tree List—"Street Tree" Category:
Incorporated changes made by City Council upon the recommendation of the Public Works/Parks Committee.
 - Appendix A-Recommended Tree List:
Removed Green Ash trees because of overpopulation and increased susceptibility to disease.
 - Appendix A-Recommended Tree List:
To allow for greater flexibility, listed the true tree species and any generic tree varieties, when applicable.

- Staff requests the following amendments to the Tree Manual:
 - Section III “Definitions”, page 4:
City’s Tree Specialist. A Tree Specialist retained by the City to review tree protection and preservation issues at the City’s request. ~~This person is not a member of City staff.~~ [Ms. Yackley stated that the deletion does not imply that the City’s Tree Specialist is a member of City staff. The City’s Tree Specialist is a person who is hired out; however, there is an employee on staff who is also qualified as an arborist, who may review plans from time to time.]
 - Section IX “Preservation Requirements on Construction Site” pg 11:
2. The developer shall not disturb the critical root zone area of any tree to be preserved. ~~to satisfy the canopy coverage requirements.~~
 - Section IX “Preservation Requirements on Construction Site” pg 11:
3. A tree specialist shall be named and employed by the developer. Said tree specialist should be available for on-site inspections as directed by the ~~Director of Planning~~ **City**.
 - Section X “Special Conditions”, pg 12:
2. Property zoned commercial or industrial which will allow for clearing of the lot for the development of the square footage as previously approved by the current ordinance in place by the City of Chesterfield or St. Louis County on the date of the adoption of the original Tree Ordinance **Number 1345 enacted on November 17, 1997**; or
 - Section XI “Mitigation Plan”, pg 13:
D. Where site constraints or other factors prevent replacement on or off site, the developer shall make a cash contribution to the Chesterfield Tree Preservation Account, **according to Section XV of this manual**, in an amount equal to the cost of replacing the trees which are not able to be preserved. Said costs shall include labor and plant material.

(Mayor Nations joined the meeting at 8:15 p.m.)

Responding to questions from the Commission, Ms. Yackley stated the following:

- **Regarding what is allowed to be planted in utility easements:** The Tree Manual does not specifically address this issue. Developers are not allowed to count trees within easements as preserved areas. All plans are reviewed by Ameren UE. Mr. Geisel added that, in all new developments, separate provisions of the code require that all utilities be placed underground.
- **Regarding utility easements on older properties; tear-downs; and areas served by above-ground wiring:** Chair Hirsch stated that such sites would be served by existing site-specific ordinances, so it would be moot in terms of the Tree Manual. Mr. Geisel said the Tree Manual exempts previously-developed and sub-divided lots.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES: None

Commissioner Sherman read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Schenberg made a motion to approve the minutes of the **November 27, 2006 Planning Commission Meeting**. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 8 to 0**.

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. Chesterfield Village/Altshuler Tract (P.Z. 34-2001 Time Extension):** A request for an extension of time for a “PC” Planned Commercial District Site Development Plan located on the north side of North Outer Forty Road near the intersection of North Outer Forty Road and Chesterfield Parkway West.

Commissioner O’Connor, representing the Site Plan Committee, made a motion to approve the request for the extension of time. The motion was seconded by Commissioner Perantoni.

Commissioner Banks expressed concern about continuing to approve extensions realizing that there have been considerable changes in various guidelines, policies, etc. over the last five years. He pointed out that the Planning & Zoning Committee made some changes on this particular site with which some of the Planning Commissioners did not agree with respect to tree removal. He feels that the Commission should re-look at some of these sites instead of automatically approving time extensions.

Commissioner Sherman stated she was sympathetic with Commissioner Banks’ point of view. However, she had concerns that if the extension is not granted, the petitioner could revise the site plan and still not execute it.

Chair Hirsch stated that the site specific ordinance remains regardless of what the Commission decides to do.

Commissioner Broemmer stated he would not be prone to approve a revised plan that was quickly thrown together.

Chair Hirsch stated that the developer would have two options in this situation: (1) submit a quick preliminary plan, which may, or may not, reflect what they end up doing; or (2) if the time extension is turned down, they would be required to have a Public Hearing on their Preliminary Plan. He noted that if the time extension is granted, the developer will still submit a Preliminary Plan to the Commission – the difference is that if the extension is denied, a Public Hearing will be required for the Preliminary Plan.

Ms. Mara Perry, Senior Planner, stated that the petitioner has the option of putting together a plan that can meet all the guidelines of the ordinance; however, it may not be what will ultimately be built. They would then have to amend the plan and present for approval. The other option is to have the Public Hearing.

Commissioner Geckeler asked if the developer would be subject to newer regulations. Chair Hirsch replied that the site specific ordinance would remain in place.

Commissioner Banks felt a Public Hearing could be helpful because residents of August Hill Subdivision may have some concerns they want to express.

Upon roll call, the vote on the motion to approve the time extension was as follows:

**Aye: Commissioner Geckeler, Commissioner Perantoni,
Commissioner Schenberg, Chairman Hirsch**

**Nay: Commissioner O'Connor, Commissioner Sherman,
Commissioner Banks, Commissioner Broemmer**

The motion failed by a vote of 4 to 4.

Commissioner Sherman made a motion to grant the request for an eighteen-month extension of time with the condition that, at such time as this comes forward, the surrounding residents be notified following the requirements used for a Public Hearing. The motion was seconded by Commissioner Geckeler.

Commissioner Banks felt that the subject building will not be started within the next eighteen months so felt the issue was moot.

Commissioner O'Connor asked how notifying the residents differs from holding a Public Hearing. Chair Hirsch replied that the plan would be presented during Site Plan as opposed to having a full Public Hearing.

Ms. Perry stated that on a past Site Plan, a petitioner was asked to notify and meet with all the adjacent subdivision Trustees.

Upon roll call, the vote was as follows:

**Aye: Commissioner Perantoni, Commissioner Schenberg,
Commissioner Sherman, Commissioner Geckeler,
Chairman Hirsch**

**Nay: Commissioner O'Connor, Commissioner Banks,
Commissioner Broemmer,**

The motion passed by a vote of 5 to 3.

Downtown Chesterfield (Overall/Internal Road System) Partial Amended Site Development Concept Plan: A Partial Amended Site Development Concept Plan, Tree Stand Delineation Plan, Tree Preservation Plan, Lighting Plan, and Landscape Plan for a 15.96 acre lot of land zoned "C-8" "Planned Commercial District" located on the northwest corner of Chesterfield Parkway West and Lydia Hill Road.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Partial Amended Site Development Concept Plan, Tree Stand Delineation, Tree Preservation Plan, Lighting Plan, and Landscape Plan. The motion was seconded by Commissioner Schenberg.

Commissioner O'Connor referred to the density of this development and expressed concern about not getting to see the "big picture" and not getting the chance to review the impact on residential neighborhoods with respect to changes in traffic because the development of the area is coming in "piecemeal".

The motion to approve passed by a voice vote of 7 to 1. (Commissioner O'Connor voted "no".)

B. Downtown Chesterfield (HOK1) Site Development Section Plan: A Site Development Section Plan, Architectural Elevations, Lighting Plan, and Landscape Plan for a 4.65 acre lot of land zoned "C-8" "Planned Commercial District" located on the northwest corner of Chesterfield Parkway West and Lydia Hill Road.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations, Lighting Plan, and Landscape Plan with the condition that the Department review the sidewalk within the parking garage. The motion was seconded by Commissioner Schenberg and passed by a voice vote of 7 to 1. (Commissioner O'Connor voted "no".)

- C. **Estates at Wildhorse Canyon - Record Plat:** Record Plat for a 25.13 acre parcel zoned "E-2" Estate Residence District. The site is located on the north side along Wildhorse Creek Road and east of Eatherton Road.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Record Plat. The motion was seconded by **Commissioner Geckeler** and **passed by a voice vote of 8 to 0.**

- D. **The Manors at Schoettler Valley:** A Site Development Plan, Tree Stand Delineation, Tree Preservation Plan, and Landscape Plan for a 8.85 acre lot of land zoned "R-2" Residence District, under a "PEU" Planned Environment Unit Procedure, located approximately 600' NE of the intersection of Squires Way Drive and Schoettler Valley Drive

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Site Development Plan, Tree Stand Delineation, Tree Preservation Plan, and Landscape Plan with Staff approval of a mix of evergreens along the southwest landscape buffer strip and with the condition that the sidewalks continue all the way around the cul-de-sac. The motion was seconded by **Commissioner Perantoni** and **passed by a voice vote of 8 to 0.**

- F. **Wildhorse Child Care Center - Site Development Plan:** A Site Development Plan, Tree Stand Delineation, Tree Preservation Plan, Landscape Plan, Lighting Plan, and Architectural Elevations for a 2.26 acre parcel zoned "E 1/2" Estate Residence District located on the north side of Wildhorse Creek Road and 5,200 feet west of Long Road.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Site Development Plan, Tree Stand Delineation, Tree Preservation Plan, Landscape Plan, Lighting Plan, and Architectural Elevations. The motion was seconded by **Commissioner Banks** and **passed by a voice vote of 8 to 0.**

VIII. OLD BUSINESS

- A. **P.Z. 4-2006 City of Chesterfield (Tree Manual):** A request to repeal City of Chesterfield Ordinance 2235 and replace it with a new ordinance that revises the procedures and requirements for reviewing and approving landscape plans, tree stand delineations, and tree preservation plans.

Commissioner O'Connor made a motion to adopt the Tree Manual with the additional amendments presented earlier in the meeting. The motion was seconded by Commissioner Schenberg.

Upon roll call, the vote was as follows:

Aye: Commissioner Broemmer, Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Commissioner Sherman, Commissioner Banks, Chairman Hirsch

Nay: None

The motion passed by a vote of 8 to 0.

IX. NEW BUSINESS

A. 2007 Meeting Schedule

Chair Hirsch noted that, in the months of May and November, holidays fall on the regularly-scheduled meeting dates. He asked if the Commission wanted to schedule another date for these two months.

Commissioner Broemmer suggested that the Commission meet only once in November and schedule a second meeting in May.

Commissioner O'Connor asked if at certain times of the year more items are on the agenda because builders are trying to get things done before the cold weather. Ms. Aimee Nassif replied that a lot of Site Plans start coming in during the spring; the summer months tend to be very busy; then things begin to drop off during the fall with more ordinances and rezonings; and then things slowing even more in December.

Commissioner Geckeler made a motion to adopt the 2007 Meeting Schedule with the addition of a meeting on Wednesday, May 30th. The motion was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0.**

B. Tutorial on Reading Plans

Commissioner Geckeler stated that she would be meeting with Mr. Geisel for training on reading plans. She stated that this meeting is open to all the Planning Commissioners who are interested in such a tutorial.

C. Underground Utility Lines

Commissioner Broemmer suggested that all new construction be required to have underground utilities installed as part of the development. He noted, however, that Ameren's distribution lines, which are the high voltage lines, would have to remain overhead.

Ms. Nassif stated that the City already requires underground utilities for all new developments. The requirement is included in all Attachment A's for all rezonings and is included in all the updated Ordinance Amendments. All new site plans and new developments have this requirement regardless of zoning.

Commissioner Banks asked if this requirement includes the feeder lines that come from the distribution plant to the subdivision plant. Mr. Geisel replied that it does not include primary feeder lines; but once the lines are in the subdivision, they have to be underground. He also noted that in order to get the power underground when a single lot is being developed, one pole is set on the side for a transformer to go down.

Commissioner Broemmer asked what is required of "re-builds" in an existing subdivision that has overhead utilities. Mr. Geisel stated that it is not part of the building permit process – it is part of the development process. If the site is rezoned, if it requires a planned zoning, or if the site is sub-divided, then the requirement of underground utilities applies.

Commissioner Broemmer asked if anything can be done to get utilities underground in existing developments. City Attorney Rob Heggie stated that this issue has been reviewed; however, it is a very expensive process. He advised that the City does not have the ability to compel Ameren to put the utilities underground. On tear-downs, it is difficult to impose required underground utilities on an individual homeowner when there is only one home in a large subdivision. Mayor Nations stated that in the older subdivisions where there are utility poles, the homeowners have to get their feed off the pole closest to their home. He didn't feel underground utilities would be feasible in these types of neighborhoods.

D. MoDOT Invitation

Chair Hirsch announced that the Commission is invited to MoDot's Transportation Management Center in Chesterfield on December 12th for a training seminar outlining MoDOT's new traffic impact study guidelines.

X. COMMITTEE REPORTS

Commissioner Banks asked if the Department had any plans for any upcoming Committee meetings as he has some items that he feels the various Committees should be reviewing.

Chair Hirsch stated that no Committee meetings are scheduled at this time. There are some items on the docket for the Ordinance Review Committee.

Ms. Nassif stated that the Department is currently focusing most of its attention on chapters of the Unified Development Code, along with criteria and guidelines for the Architectural Review Board. It is anticipated that the Unified Development Code will be presented at a Public Hearing sometime next spring.

XI. ADJOURNMENT

The meeting adjourned at 8:46 p.m.

David Banks, Secretary