PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
DECEMBER 12, 1994

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

PRESENT

Mr. Rick Bly
Mr. Fred Broemmer
Mr. Michael Casey
Mr. Dave Dalton - arrived later
Ms. Mary Domahidy
Mr. Bill Kirchoff
Ms. Patricia O'Brien
Chairman Barbara McGuinness
Councilmember Ed Levinson - Council Liaison
Mr. Douglas R. Beach, City Attorney
Mr. Jerry Duepner, Director of Planning
Ms. Laura Griggs-McElhanon, Senior Planner
Mr. Joe Hanke, Planner II
Ms. Toni Hunt, Planner I
Ms. Sandra Lohman, Executive Secretary

ABSENT

Ms. Linda McCarthy

INVOCATION - Commissioner Mike Casey

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - There were no public hearings.

APPROVAL OF THE MINUTES

Commissioner Domahidy made a motion to approve the minutes from the meeting of November 28, 1994. The motion was seconded by Commissioner Casey **and approved by a voice vote of 7 to 0.**

PUBLIC COMMENTS

SPEAKERS IN FAVOR OF P.Z. 25-94 JEWISH COMMUNITY CENTERS ASSOCIATION (MULTIPURPOSE BUILDING).

1. Russell Coff, 246 Glen Hollow, Chesterfield, MO 63017.

- A mission statement is a document of action.
- The Mission Statement for the JCCA welcomes everyone within the Jewish and general community, regardless of age, ability or income.
- Human resources include external volunteers, not just JCCA staff.
- The Millstone JCCA doesn't meet his current needs, therefore he is in favor of the proposed JCCA.
- The City decides whether or not its Mission Statement is a document of change.

Chairman McGuinness recognized the attendance of Councilmember Ed Levinson, Council Liaison from the Planning and Zoning Committee of City Council.

2. Norma Appelman, 152 Gunston Hall Ct., Chesterfield, MO 63017.

- Involved with the JCCA as a volunteer, board member, and member.
- The JCCA plays an important role in the community (i.e., blood drives, life skill classes, CPR, First Aid, lifeguard and water safety instruction).
- Children, parents and senior citizens participate in programs that build better character.

3. Joy Sterneck, 15644 Century Lake Drive, Chesterfield, MO 63017.

- The Millstone JCCA served her children very well during their teenage years, and she would like the parents of younger generations to have the same quality activities available in Chesterfield.
- The JCCA would offer a place for both children and adults to come to relieve stress and prevent domestic violence.

4. Ryan A. Panitz, 17 Greymore, Chesterfield, MO 63017.

- Has been involved with the Millstone JCCA for the past 2 1/2 years, and would love to have a community center in his area.

- Would like the opportunity to play basketball, use weight facilities, socialize with friends, have meetings of the B'nai B'rith Organization.

- A local JCCA would help get teens who are into alcohol and drugs off the streets and into the center.

Commissioner Dalton arrived at the meeting.

- There wasn't a gathering place for kids in Chesterfield when he was growing up, and this would be wonderful addition for teenagers (i.e., a neighborhood community center).

5. Stacy Singer, 2181 Parasol Drive, Chesterfield, MO 63017.

- The JCCA would be a wonderful addition to Chesterfield for youths (i.e., swimming, arts and crafts).

- It offers opportunities for her to volunteer and be part of her community. It also offers opportunities for her parents, and grandparents to be involved in programs to enhance their lives.

6. Lee Jacobson, 1845 Hollow Tree Court, Chesterfield, MO 63017.

- The City lacks a local community center.

7. Margie Wolf, 14606 Mallard Lake Drive, Chesterfield, MO 63017.

- The JCCA emphasizes cultural programs and promotes arts in the community.

- There is nothing in the Western Corridor of the City which allows people to express themselves in the arts.

- The JCCA would offer opportunities for people of all ages to participate in its arts camps, painting programs, sculptures, lectures, dance, musical programs, etc.

8. David Friedman, 15446 Grantley Drive, Chesterfield, MO 63017.

- He noted how the JCCA will complement the Chesterfield Parks Program.

9. Mr. Rick Bender did not appear before the Commission.

10. Marty Oberman, President of the JCCA, 11966 Sackston Ridge Drive, St. Louis, MO 63141.

- Noted receipt of petitions in support of the proposed JCCA.

- Excerpts from three (3) letters were read:

    1) Principal of Willowbrook School - noted the wonderful partnership with the JCCA. During construction of their new gymnasium they were able to use the JCCA facility.

    2) The Jones Company - supports efforts to obtain the Conditional Use Permit and looks forward to completion of the center.

    3) Chesterfield Resident who works for Pattonville School District - the JCCA would be adding no students to the already overcrowded Rockwood School District. He understands the "not in my back yard" feeling, but believes residents will be pleasantly surprised if this permit is approved.

- He, along with Phil Schreiber, met with three (3) residents from Chesterfield Farms Subdivision last Saturday morning.

Chairman McGuinness inquired whether any of these residents were present tonight.

Mr. Oberman noted two (2) of the residents are here this evening.

Chairman McGuinness inquired whether there are any amendments to the plan.

Mr. Oberman stated no, this was information gathering (i.e., location of roads, why the access road to Ascension Church, traffic, etc.). He handed the petitions to the Chairman.

11. Stan Friedman, Executive Vice-President for the JCCA, 230 Clion, St. Louis, MO 63141.

- The JCCA on the Millstone campus includes: a 200,000 square foot building; 450 units of elderly housing; and an additional 30,000 square foot cultural building and office complex which houses staff, not part of the JCCA, and where hundreds of people come to meet each week.

- There is only one (1) entrance and one (1) exit for the Millstone JCCA, and no traffic problems have occurred there, or on Schuetz Road, for the past thirty (30) years.

- People come in at staggered times; large groups are rare.

- The JCCA has received letters of support from all over.

- The JCCA people are good neighbors, and look forward to being a part of Chesterfield.

SPEAKERS IN OPPOSITION TO P.Z. 25-94 JEWISH COMMUNITY CENTERS ASSOCIATION (MULTIPURPOSE BUILDING).

1. Randy Kellis, 16656 Chesterfield Manor Drive, Chesterfield, MO 63005.

- His comments are on behalf of the Chesterfield Farms Subdivision Homeowners Association which is meeting tonight at the Daniel Boone Library.

- Chesterfield Farms Subdivision, when completed, will consist of 359 homes, with one (1) way in and one (1) way out.

- Residents concerns are: 1) traffic volume; 2) safety due to traffic; and 3) homeowners, when they moved in, did not expect this to be any type of commercial development.

- Residents question how biased this proposal is, since the property is being donated, and are concerned that an effort is being made to make it fit into their neighborhood.

- Based on this unique situation, they hope Mr. Sachs will look at another site for the JCCA in Chesterfield.

- Residents welcome the JCCA as a community member, and believe their services are very welcome in the City; but want the facility at another location.

SPEAKERS IN OPPOSITION TO P.Z. 23-94 JOSEPH AND EDITH ERNST (GOODYEAR TIRE).

1. Mark Supena, 1015 N. Halsted, Chicago, IL 60622.

- He is the Regional Manager with Chrisken Real Estate Company, the Managing agent for Peachtree Apartments.

- Peachtree Apartments consist of 156 apartment homes, with 250 residents who are concerned about the following:

  - service bay doors being open in the Spring, Summer and Fall seasons of the year;

  - excessive noise from various tools;

  - 7:00 a.m. is too early for business to begin operation; and

  - this type of auto repair store next to Peachtree would be economically detrimental.

- Denial of the proposed Goodyear Tire Store would be in the best interest of their residents, and maintain the integrity of Chesterfield.

SPEAKERS IN FAVOR OF P.C. 192-87 LONG ROAD PARTNERSHIP (DUGSFORD COMMONS).

1. Mr. Barry Bierenbaum, 16688 Anna's Way, Chesterfield, MO 63005.

- His company owns and operates three (3) Mobil stations in Chesterfield.

- Requests approval of an amendment to allow a car wash on the property at Wild Horse Creek Road, at the intersection of Long and Kehrs Mill Roads.

- Requests clarification of the zoning regulations with regard to a canopy.

- Has tried to be very sensitive to his neighbors (i.e., compliance with all building requirements, blend in with construction in neighborhood).

- The car wash would look similar to what is proposed for the shopping center.

Chairman McGuinness asked where the three (3) existing Mobil facilities are located.

Mr. Bierenbaum replied: 1) Clarkson and Baxter; 2) Clayton and Baxter; and 3) Greentrails.

OLD BUSINESS - None

NEW BUSINESS

C. **P.Z. 25-94 Jewish Community Centers Association (Multipurpose Building)**; a Conditional Use Permit (C.U.P.) in the "R-2" 15,000 square foot Residence District and amendment of City of Chesterfield Ordinance Number 752; northeast corner of the intersection of Wild Horse Creek Road and Baxter Road Extension.

Toni Hunt, Planner I, summarized the issues being evaluated by the Department, and noted the Department's recommendation to **hold** this matter until the meeting of January 9, 1994. She inquired whether the Commission had additional issues to add to the list.

The following issues were added:

- Outdoor uses should be compatible with surrounding residential development;
- Concerns regarding noise, and night lighting of buildings.
- Show comparison between proposed JCCA use and the use currently approved for subject parcel.
- All the issues brought up by neighbors at the public hearing.

A motion to **hold** was made by Councilmember Domahidy. The motion was seconded by Councilmember Kirchoff **and approved by a voice vote of 8 to 0.**

A. **P.Z. 22-94 City of Chesterfield Planning Commission**; a proposal to amend the Zoning Ordinance of the City of Chesterfield relative to Home Day Care.

Joe Hanke, Planner II, noted the Department is currently working with the City Attorney in an attempt to evaluate the recommendations of the Ordinance Review Committee, and recommends this matter be **held** until the Commission Meeting of January 9, 1994.

A motion to **hold** was made by Councilmember Domahidy. The motion was seconded by Councilmember O'Brien **and approved by a voice vote of 8 to 0.**

B. **P.Z. 23-94 Joseph and Edith Ernst (Goodyear Tire)**; "C-1" Neighborhood Business District and "R-3" 10,000 square foot Residence District to "C-8" Planned Commercial District; east side of Chesterfield Parkway North, south of Olive Boulevard.

Joe Hanke, Planner II, summarized the Department's report and recommendation of **approval**, subject to conditions in Attachment A. He noted that, prior to his presentation, Mr. Michenfelder indicated the petitioner would be amenable to a condition which would restrict the opening of the doors during those times that the pneumatic chipping hammer was in use.

A motion to **approve** the Department's recommendation was made by Commissioner Broemmer and seconded by Commissioner Kirchoff.

COMMENTS/DISCUSSION

- Clarification was requested regarding the petitioner's intent regarding opening of doors during use of the pneumatic hammer.

Chairman McGuinness waived the rules and allowed Mr. Al Michenfelder to respond.

Mr. Al Michenfelder stated the petitioner heard from the Peachtree Apartment group this evening and, in light of their comments, if the Commission believes this is an issue that should be dealt with, the petitioner would be happy to accept a condition requiring that all overhead doors be closed at any time the pneumatic chisel is in use.

Commissioner Domahidy offered an **amendment** to the original motion to require any overhead doors be closed while the pneumatic chisel is being used. The motion was seconded by Commissioner Casey **and approved by a voice vote of 8 to 0.**

COMMENTS/DISCUSSION

- The distance of the proposed service bay area to the nearest apartment is approximately 150 to 200 feet.

- The hours of operation are the same as those attached to the 1990 proposal.

Commissioner Broemmer made a motion to **amend** the original motion, as amended, to restrict operation of pneumatic tools until after 8:00 a.m.

Planner Hanke noted that the City of Chesterfield allows operation of construction machinery within the City to begin at 7:00 a.m.

The motion was seconded by Commissioner Domahidy.

COMMENTS/DISCUSSION

- Construction is temporary activity, whereas this would be an ongoing activity.

- Concern that this would be an unnecessary restriction, in that the other pneumatic tools are not sufficiently noisy to justify this kind of action, and we might prevent the petitioner from performing their jobs.

- The first hour of operation could be used to organize the day's work schedule.

Upon a roll call the vote was as follows: Commissioner Bly, no; Commissioner Broemmer, yes; Commissioner Casey; no; Commissioner Dalton, no; Commissioner Domahidy, yes; Commissioner Kirchoff, no; Commissioner O'Brien, yes; Chairman McGuinness, yes.

The motion fails due to a tie vote of 4 to 4.

An **amendment** to the original motion, as amended, was made by Commissioner Kirchoff to allow the petitioner to have a sixteen (16) foot wide overhead door on the southeast side of the building. The motion was seconded by Commissioner Bly.

Upon a roll call the vote was as follows: Commissioner Bly, yes; Commissioner Broemmer, no; Commissioner Casey; no; Commissioner Dalton, yes; Commissioner Domahidy, no; Commissioner Kirchoff, yes; Commissioner O'Brien, no; Chairman McGuinness, no.

The motion fails by a vote of 3 to 5.

COMMENTS/DISCUSSION

- This petition appears to be the same as the 1990 request which was denied on January 7, 1991, by a vote of 8 to 1.
- This site is part of the Urban Core, which doesn't allow the use proposed.
- This is an extension of the existing service station type of use and, therefore, is appropriate.
- Provision of the cross-access agreement, utilization of the same curb cut onto the Parkway, along with the conditions restricting the number of overhead doors, has created a situation where this may be operated in a manner compatible to the surrounding area.
- Cross-access to the property to the southeast and elimination of the curb cut onto the Parkway could reduce the number of parking spaces by a maximum of three (3) spaces. They would still be able to meet parking requirements.
- Site design aspects are still subject to approval of a site development plan.

Upon discussion, it was determined the motion, as amended, would be for **approval** of the Department's recommendation, subject to conditions in Attachment A, and that all service bay doors, or doors leading directly to the service area and service bay doors shall remain closed when pneumatic chisel (chipping hammer) is in use. (This is an amendment to Item 4.s of Attachment A.)

Upon a roll call the vote on the motion, as amended, was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey; no; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, no; Chairman McGuinness, yes.

The motion passes by a vote of 6 to 2.

D. **P.C. 192-87 Long Road Partnership (Dugsford Commons)**; Amendment of "C-8" Planned Commercial District Ordinance; northeast corner of Long Road and Wild Horse Creek Road.

Toni Hunt, Planner II, summarized the request and the Department's recommendation of **approval** of the amendments as stated in the Department's report.

A motion to **approve** the Department's recommendation was made by Commissioner Kirchoff and seconded by Commissioner Broemmer.

COMMENTS/DISCUSSION

- Most of the existing businesses (i.e., service stations) which have canopies are in Planned Commercial Districts and, therefore, have established setback requirements established by the ordinance governing each particular site.

- The intent of the St. Louis County Ordinance governing the site was discussed with regard to setback of all structures (i.e., buildings, canopies).

- The preliminary plan does not show a canopy.

- The petitioner submitted a sketch depicting the approximate location of the gas facility, including a canopy. The plan indicates the canopy, itself, would extend beyond the sixty (60) foot setback by about ten (10) feet. If they re-orient the canopy they can meet the setback requirement, however, this may require them to shift the building.

- The petitioner could ask for an amendment before the Planning Commission or go before the Board of Adjustment.

- The petitioner, Mr. Barry Bierenbaum, noted this would be a problem, and requested clarification by the Commission regarding the canopy.

- The petitioner would like an amendment, if they have to meet the sixty (60) foot setback.

Commissioner Broemmer made a motion to **amend** the original motion to allow a setback of fifty (50) feet. The motion was seconded by Commissioner Bly **and approved by a voice vote of 8 to 0.**

Upon a roll call the vote on the motion, as amended, was as follows: Commissioner Bly, yes; Commissioner Broemmer, yes; Commissioner Casey; yes; Commissioner Dalton, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, yes; Chairman McGuinness, yes.

The motion passes by a vote of 8 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. **Gateway Academy**; "NU" Non-Urban District Site Development Concept Plan/Section Plan; north side of Wild Horse Creek Road, approximately 3,000 feet west of Wildhorse Parkway.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to **approve** the Site Concept Plan and Architectural Elevations, subject to conditions specified by the Department of Planning. The motion was seconded by Commissioner O'Brien **and approved by a voice vote of 8 to 0.**

B. **D.L. 2-49 Spirit of St. Louis Airport (Insituform, formerly Television Engineering Corp.)**; "M-3" Planned Industrial District Amended Site Development Plan, Architectural Elevations and Landscape Plan; east side of Goddard Avenue, north of Edison Avenue Extension.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to **approve** the Amended Site Development Plan for the purpose of issuing a Footing and Foundation permit **only**, subject to the Department of Planning conditions. The motion was seconded by Commissioner Casey **and approved by a voice vote of 8 to 0.**

COMMITTEE REPORTS

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

B. **Architectural Review Committee** - No report.

C. **Site Plan/Landscape Committee**

Committee Chair Kirchoff noted the Institutional Landscape Guidelines are awaiting scheduling for the Planning and Zoning Committee's review.

D. **Comprehensive Plan Committee**

Co-Chair Domahidy noted Lane Kendig will be here Wednesday and Thursday.

Senior Planner Laura Griggs-McElhanon noted there is no regularly scheduled West Area Study Committee meeting this Wednesday.

Commissioner Casey, Chair of the West Area Sub-Committee, noted the first meeting will be held on Wednesday, at 5:00 p.m.

Chairman McGuinness noted the Steering Committee will meet after that, at 6:00 p.m., Wednesday, December 14th.

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

Director Duepner asked the Planning Commission if they would consider changing the meeting summaries/minutes to indicate only:

- those in attendance;
- items on the agenda;
- list of speakers; and
- motions and actions taken by the Planning Commission, and the votes.

Director Duepner noted that tapes of the meetings are kept for a period of one (1) year.

Upon discussion, the Commission directed that, henceforth, the meeting minutes are to be in a more condensed form (i.e., bullet statements).

Director Duepner, on behalf of Department of Planning, wished the Commission, Council and City Attorney "Happy Holidays."

Chairman McGuinness noted the Planning and Zoning Committee wishes to move its meetings to Monday and inquired whether the Commission would consider moving its meetings to another night.

Upon discussion by the Commission it was noted the Commission had already approved the Planning Commission Meeting Schedule for 1995, and wishes to continue meeting on Monday.

Council Liaison Levinson stated the reason for the request was due to conflicts of schedules by certain Councilmembers.

Chairman McGuinness noted the Councilmembers were elected to do that, and if they can't manage to make a meeting and move the entire Planning Commission and the Planning Department around for their convenience, then no.

Council Liaison Levinson noted he would relay the Commission's reply to the Planning and Zoning Committee.

Commissioner Broemmer noted there are other Committee and Commission members who teach on meeting nights and also have conflicts.

The meeting adjourned at 8:37 p.m.

Patricia O'Brien, Secretary

[MIN12-12.094]