PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
DECEMBER 12, 2005

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

I. PRESENT **ABSENT**

Mr. David G. Asmus
Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Dr. Lynn O'Connor
Ms.Lu Perantoni
Mr. Thomas Sandifer
Ms. Victoria Sherman
Chairman Stephanie Macaluso

Councilmember Mike Casey, Council Liaison
City Attorney Rob Heggie
Ms. Teresa Price, Director of Planning
Mr. Kyle Dubbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Mary Ann Madden, Planning Assistant

Chair Macaluso acknowledged the attendance of Councilmember Connie Fults, Ward IV; Councilmember Mary Brown, Ward IV; Councilmember Dan Hurt, Ward III; and Councilmember Bruce Geiger, Ward II.

II. INVOCATION: Commissioner Sherman

III. PLEDGE OF ALLEGIANCE – All

PUBLIC HEARINGS – Commissioner Broemmer read the "Opening Comments" for the Public Hearings.

A. P.Z. 30-2005 Sharon Greenstein (2785 Kehrs Mill Road): A request for a change of zoning from "NU" Non-Urban District to "R-4" Residence District for 1.01 acre tracts of land located west of Kehrs Mill Road and south of Coventry Farm. (21T340032)

Project Planner Aimee Nassif gave a PowerPoint Presentation showing photographs of the site and surrounding area. Ms. Nassif stated the following:

- Public Hearing notices were posted on November 22, 2005.
- The Petitioner is requesting a Straight Zoning from Non-Urban to R-4 Residence District.
- There will be no Attachment A written with the site as the Petitioner does not have plans to develop the site herself.
- The property adjacent to the site is zoned R-3, which is a minimum lot size of 10,000 sq. ft.
- The requirements for an R-4 Residence District, according to the Zoning Ordinance, are:
  - Minimum lot size of 7500 sq. ft.
  - Front yard setback of 20 ft.
  - Side yard setback of 6 ft.
  - Rear yard setback of 15 ft.

PETITIONER'S PRESENTATION:

1. Ms. Sharon Greenstein, 2785 Kehrs Mill Road, Chesterfield, MO stated the following:
   - She has no plans to build on the subject site. She is requesting the rezoning to bring the site up to par with the surrounding area before selling to a builder.
   - She is requesting R-4 zoning.
   - Speaker showed drawings demonstrating how two houses could be built on the site.
   - Speaker showed drawings demonstrating two different lot possibilities of a 30' front and a 25' front.
   - The sewers are extended from the south to serve the two lots; the existing house is on a septic tank, which will need to be changed. Speaker showed a drawing where a manhole could be installed.
   - The existing house would be removed before any new construction would begin.
   - The site is outside the 100-year flood plain.
   - There is an existing public walk across the frontage of the site.

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

- The site is 1-1/2 acres.
- She is requesting R-4 zoning vs. R-3 zoning because the frontage would not meet R-3 requirements unless only one house is built on the site.

Mr. David Stolwyck of Stolwyk & Ferrenbach, Engineer for the Petitioner, stated the following:

- The R-4 District is the only zoning that allows the 60' frontage. R-3 requires 70' frontage which would not allow enough ground left over for the required 40' on the flag pole part of the flat lot.

- They anticipate that the front lot will be 9,999 sq. ft., which is just under the 10,000 sq. ft. requirement of the R-3.
- Presently, there is one curb cut. They anticipate that the two houses would use the same driveway at the existing location.

SPEAKERS IN FAVOR:

1. Ms. Catherine B. Mayer, 1058 Kehrs Mill Road, Ballwin, MO stated the following:
   - She lives next door to the subject site.
   - She moved into her home in 1972.
   - The entire lot in the back is flat; the front is County-designed.
   - There have been problems with the front yard since 1972.
   - She is in favor of the subject lot being sold and having two houses on the site.
   - The City of Ballwin, the City of Chesterfield, and St. Louis County have all reworked Kehrs Mill Road in this area. The drainage has never been properly taken care of where it stops at Ballwin and starts at Chesterfield.

SPEAKERS IN OPPOSITION:

1. Dr. William Matzat, 15618 Coventry Farm, Chesterfield, MO stated the following:
   - His back yard is adjacent to the subject property and is very small.
   - New construction will impact the four houses that will border the property because of the driveway that will become an access to the road and lot.
   - Because of the narrowness of the lot and having two houses on it, he does not see how any barrier will be effective.
   - He was told that there were not any plans for the site so he was not prepared to speak on anything other than the requested rezoning.
   - The four houses bordering the subject site would be very close to any homes built.

2. Mr. Charles Birmes, 15612 Coventry Farm Drive, Chesterfield, MO stated the following:
   - His property has a small back yard with a great view of the existing subject site.
   - He has concern about two houses being squeezed on the site, along with a driveway.
   - He was told that there were not any plans for the site other than changing the zoning. He felt the neighboring homeowners should be informed of any proposed plans for the subject site.
   - He is opposed to two houses being built on the site.
   - He questioned how access would be handled to a second house on the back portion of the lot.
   - He feels that two homes on the lot would reduce his property value.

SPEAKERS – NEUTRAL: None

REBUTTAL:

Ms. Greenstein stated the following:

- There would be only one home constructed in the middle of the lot bordering the four homes behind it.
- The existing driveway would go further back to the second home.
- It is her feeling that the new construction would increase the property value in the area.
- The existing home is not in keeping with the other homes in the area.
- Lot #1 is bigger than the three lots to the side; the larger flag lot is three times the size so it remains a large lot.

ISSUES:

1. Clarify the size of the lot – 1 acre or 1-1/2 acre?
2. Review whether single-family attached with a PEU is permitted under R-4. If so, what could be built on this site?
3. Provide information on the compatibility of the adjacent zoning.
4. Provide information on the drainage issue brought up by Ms. Mayer.
5. Provide information on the road configuration – is this a Chesterfield road or a County road?
6. If the site were developed, would some of the land become part of the right-of-way?
7. Presentation appears as a straight zoning issue but plan indicates a two-lot subdivision.
8. Provide information on the zoning for the adjacent properties in Ballwin – what type of zoning does Ballwin use? What are the minimum lot size and setback requirements?
9. Provide information as to what districts the surrounding properties are in, along with the property across the street. Provide information on the setbacks for these properties.
10. Provide information on the width of the flag lot driveway. Look into the possibility of a shared driveway rather than a flag-lot street, which could possibly bring the zoning back into line with an R-3.

Commissioner Broemmer read the Closing Comments for Public Hearing **P.Z. 30-2005 Sharon Greenstein (2785 Kehrs Mill Road)** noting the earliest possible date the Planning Commission could vote on the subject petition would be January 23, 2006.

V. APPROVAL OF MEETING MINUTES

Commissioner Hirsch made a motion to approve the minutes of the November 28, 2005 Planning Commission Meeting. The motion was seconded by Commissioner Sandifer and **passed by a voice vote of 9 to 0.**

Commissioner Sandifer made a motion to approve the minutes of the November 30, 2005 Planning Commission Meeting. The motion was seconded by Commissioner Perantoni and **passed by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT

RE: A Resolution to Amend the City of Chesterfield Comprehensive Plan

Speakers in Favor:

1. Mr. Donald R. Bowers, 17525, 17531 Wild Horse Creek Road, Chesterfield, MO, also representing 17537 & 17547 Wild Horse Creek Road stated the following:
   - The four properties start at the knot of the bowtie and run west.
   - He felt that the "1920 line" does not have a legal or technical support. Property is usually built based upon decibels.
   - He encouraged the Planning Commission to vote for the resolution to bring the matter to a close.

Speakers in Opposition:

1. Mr. Rodney Henry, 17655 Wild Horse Creek Road, Chesterfield, MO stated the following:
   - He does not believe there is any reason to change the Comprehensive Plan.
   - He feels the Plan was laid out properly based on noise. The Airport will remain in the area.
   - He does not understand the "20% slope" item. He felt there are many opportunities to use this area in the development process.
   - He is not in favor of making any changes to the Comprehensive Plan.
   - He asked that the Commission not vote for the Amendment and leave the Comp Plan "as is".

2. Mr. Richard Schmelig, 17405 Wild Horse Creek Road, Chesterfield, MO stated the following:
   - He is speaking as a representative of Grand Coteau subdivision at Long and Wild Horse Creek Roads.
   - The traffic issue is not driven by what happens on Wild Horse Creek Road – it is driven by what happens on 109 and to the west. He feels that 85% of the vehicles are coming from other than Wild Horse Creek properties.
   - He feels the bowtie development is insignificant in terms of traffic – whether it is residential or commercial.
   - At the last Public Hearing on this matter, one individual cited statistics indicating commercial traffic vs. residential traffic would have an increased impact on traffic. He did not feel the figures cited were realistic.
   - A comment was also made at the last Public Hearing that the nursery below their property only grows trees. He stated that the nursery looks like a junk yard and is very noisy.

- Their properties are surrounded by commercial to the north, east and west. Now that the Long Road intersection is going to be cleaned up, Speaker stated that there will be seven lanes on Long Road, which will not help their properties.
- Regarding concerns about safety issues with school children across from commercial property, Speaker stated that he has spoken to school representatives who have indicated that there are always 1-2 counselors out whenever the children are outside.
- He asked that the Comp Plan be taken back to its original state.

3. Mr. Edward Kummer, 10 Concord Trail, St. Peters, MO stated the following:
   - He is speaking in regards to the property at 17751 Wild Horse Creek Road, owned by him and his wife. The farm has been in family for over 80 years and is the largest piece of property in the subject area.
   - Regarding noise, it is very noisy and sometimes rattles the windows.
   - He does not like how the proposed Plan divides up his property – it devalues it.
   - He does not agree with the traffic studies because most of the traffic is coming from somewhere else.
   - He urged the Planning Commission to keep the Comprehensive Plan in its original state.

4. Ms. Maria Wilmas, 17719 Wild Horse Creek Road, Chesterfield, MO stated the following:
   - She has lived in Chesterfield for 30 years and in the bowtie property for 14 years.
   - She made note of the times the airplanes passed over her property the previous morning: 4:15 am; 6:51 am; 6:54 am; 7:02 am; 7:04 am; 7:14 am; 7:18 am; 7:24 am; 7:38 am; 7:54 am; 7:56 am; and 7:59 am – at which time she stopped keeping track.
   - Between the hours of midnight and 6:00 am during 2005, there have been over 1800 flights.
   - Flight take-offs and arrivals can be verified by visiting FlightAware.com.
   - The flights rattle the windows.
   - She believes the 1990 Comprehensive Plan should remain with the designation of Office Campus for this area.

5. Mr. Bill Kirchoff, 17627 Wild Horse Creek Road, Chesterfield, MO stated the following:
   - He and his wife have lived on the property for 30 years.
   - He felt that the increase in traffic has resulted from families moving into the area over the past 10-15 years.
   - He noted that whatever plan is approved, it will take 15-20 years to be developed. Whatever is developed will exist for the next 50-100 years. He feels the Commission needs to maintain a long-term perspective.
   - Using the real estate business's rule of thumb that homes trade every 7 years – he felt that many existing homeowners will be gone from the area within that time.

However, the bowtie will stay - and the plan that is approved for the bowtie - will stay.

- He requested that the Commission take a long-term view for the area.
- He is generally in favor of the draft plan but not entirely. He feels it is a good compromise.
- He feels retail should be added at the east end near Long Road.
- He feels that the 1920-foot line may be a legal issue.
- He gave copies of a hand-out to the Department to be distributed to the Planning Commission.

6. Ms. Sandra A. Kirchoff, 17627 Wild Horse Creek Road, Chesterfield, MO stated the following:
   - She is tired of hearing so much opposition to all that is happening in the bowtie area.
   - Speaker read a story she wrote concerning residents who have moved into new subdivisions, which were once property with lush woods, wildlife and natural springs. At the time Wild Horse subdivision was being built, she was concerned about the loss of an area where her family had ridden horses, hiked, and fished.
   - Many of the residents in the bowtie area are life-long residents who have seen many changes. She feels that Wild Horse Creek Road has already been destroyed by subdivisions – it will never be the beautiful country road that it once was.
   - She does not feel that the newer residents to the area understand that they too have intruded on their space and the lovely country road that once was.
   - She feels that everyone needs to work together to make the community a better place to live – including some development of the bowtie.

RE: P.Z. 11-2005 129 Long Road (Citrin Property)

Petitioner:

1. Mr. Jim Exler, Zavradinos Engineering, 17813 Edison Avenue, Chesterfield, MO stated the following:
   - He is representing Andy Citrin.
   - The site is .43 acres with an existing house.
   - The intent is to rezone the property to PC and utilize the building for approximately 3-5 years for a low-traffic impact use – such as for a tax office, seamstress shop, etc. A restaurant would not fit on the site because it does not lend itself for a high-traffic situation.
   - They have addressed the comments from the St. Louis County Highway Department.
   - They have received their approval from MSD.

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

- They are proposing a 45’ setback off of Long Road and 15’ setbacks along the rear and the two sides.

- They are willing to remove the uses of "child care center, nursery school, and day nursery".
- They are willing to remove the use of "restaurant-fast food, excluding drive-thru".
- They will review the remaining uses with the Department to remove any that are not appropriate for the site.

Commissioner Perantoni expressed concern about the handicapped parking area, which is about 3-1/2 feet below the finished floor elevation. Mr. Exler replied that the ramp, which is to be installed, meets ADA requirements.

RE: P.Z. 22-2005 Wings Corporate Estates

Petitioner:

1. Mr. Ed Holthaus, 18102-A Chesterfield Airport Road, Chesterfield, MO responding to questions from the Commission stated the following:
   - He is satisfied with the language in Attachment A regarding green space.
   - They have a revised plan which includes Precision Irrigation as part of the development, where the monument sign will be located.

RE: P.Z. 25-2005 Duke Realty L.P. (St. John's Mercy Rehabilitative Facility)

Petitioner:

1. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Ste. 300, Chesterfield, MO stated the following:
   - They are asking for an amendment to the PC ordinance to add the use of "hospital". The use language has been worked out with the neighboring residents and limits the hospital use to "no surgery, no emergency room, and no heliport or helipad".
   - Speaker compared the changes between the existing approved plan and the proposed plan:
     - Total Site Coverage - There is a slight improvement
     - Floor Area Ratio - There is an improvement
     - Building Square Footage – There is a dramatic improvement from 175,000 sq. ft. to 114,000 sq. ft.
     - Green Space – There is a slight improvement
     - Building Height – There is an improvement
     - Parking – Approximately half of the existing approved plan.

2. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO addressed some of the issues identified as "Petitioner has addressed the issue" and stated the following:
   - After the zoning is complete, a Landscape Architect will be retained to put together a detailed landscape plan, which will be part of the site development.

- Regarding access and the east/west drive between the garage and the building: Pedestrian traffic will be addressed by the Landscape Architect to differentiate the pavement, along with signage for pedestrians going between the garage and the office building.
- Regarding the connection to the west on the 40 West One building: Because of the loading dock, trash enclosure, and trucks in this area, they are not able to have a perpendicular access to the property, which is why it is pushed further to the north. Public Works is in concurrence with this location.

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

- **Regarding the necessary changes to permit the amendments to the setback requirements:**
  - The garage from the northern boundary is aligned exactly on the north boundary of the existing garage so they are not asking for any change to go to the north. The proposed garage is smaller – it is two levels compared to three levels – and is not as deep in a north/south direction.
  - The new building has been moved approximately 3' to the north and is a level shorter than the previously-approved building. There is a 3' difference from North Outer Forty.
  - Under the previous plan, the surface car parking was further to the south because the garage was larger. The surface parking has moved further to the north.
  - The east/west setbacks had to be amended for the building. There was less of a setback – there is now a narrower footprint.
- Lot B will be left natural with the existing trees.
- On the front section of the plan, all natural vegetation will be removed during the building process. It will be re-vegetated after construction.

3. Mr. Rick Clawson, ACI Boland Architects, 11477 Olde Cabin Road,Ste. 100, St. Louis, MO stated the following:
   - Regarding the drop-off plaza and the pedestrian access back to the garage: It is their intent to develop this area similar to what has been done in the Maryville Center. They would utilize different colors of pavement to define walk areas. It will be developed with hardscape and landscape.

4. Ms. Julie Nolfo, Crawford, Bunte, Brammeier, 1830 Craig park Court, Suite 230, St. Louis, MO responding to questions from the Commission, stated the following:
   - Traffic counts were based on information from the Petitioner, who indicated that the site is not a medical office or a general acute care hospital. Questions were asked about the number of physicians, the number of patients they would see, the number of beds, shift staff, administrative staff, service deliveries, emergency vehicles, etc. to determine what components should be used for the traffic generation report.
   - It was felt that most of the patients would have visitors after 6:00 p.m. based upon the fact that patients of this facility will be there predominantly for rehabilitation.

Throughout the bulk of the day, the patients will be in rehabilitation. It has been their experience that most visitors come after the dinner hour.

5. Mr. Don Kalicak, Director of Planning for St. John's Mercy, 12800 Corporate Hill Drive, Ste. 400, St. Louis, MO stated the following:
   - Their facility will be a special use facility focusing specifically on patients who need care for their rehabilitation.
   - The physicians will specialize in physical medicine and rehabilitation.
   - Regarding traffic, Speaker noted that the patients are in therapy during the day hours so family members tend to visit in the evening.
   - They see approximately 110 outpatients throughout the day for follow-up therapy.

RE: P.Z. 24-2005 Kommerz LLC (Clock Tower Plaza)

Petitioner:

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO referred to the following issues:
   - Regarding "*There shall be no direct access to Edison Avenue*": The only drive they are showing is dictated by Monarch Fire as an emergency access. It is gated and is not to be utilized as part of the plan, with the exception of emergency access.
   - Regarding "*Clarify the movement of delivery trucks within the site":* The site only has one place where they can bring access. There is a recorded access easement, which is located perpendicular to the Chesterfield Commons main drive. Coming into the site, two-thirds to the north is their limitation so they have set up the Site Plan so that the loading space is at the north corner of the building. They have provided sidewalks along the entire length of both the east and west sides of the building so that deliveries can be made along the sidewalk via the rear of the building, the east side or the west side.

RE: P.Z. 26-2005 & P.Z. 27-2005 Chesterfield Ridge Phase Two (Kemp Homes)

Petitioner:

1. Mr. Mark Teitelbaum, 777 Craig Road, St. Louis, MO was available for questions.

Speakers – Neutral:

3. Mr. Marshall Galliers, 1936 Rustic Oak Road, Chesterfield, MO stated the following:
   - He and members of his subdivision have met with Mr. Teitelbaum to discuss some of their concerns.
   - Regarding water drainage, they have a pond they have dug out to an even depth of 15' that covers about 3 acres at the entrance to their subdivision. The head end of the proposed drainage pipe hits their wetlands area, which has bulrushes, trees, wildlife and natural vegetation.

- They ask that the Department of Public Works and the City Engineer work with the builder to install a buffer to slow down the flow of water when it enters the wetlands area. They also ask that the drainage be directed north – in as direct a fashion as possible – so it follows the stream that flows through their pond.

RE: P.Z. 13-2005 Stallone's Formal Wear (Phillip & Candace Stallone)

Petitioner:

1. Ms. Mary Deweese, Landscape Architect, 13 Forrester, Manchester, MO stated the following:
   - They have a large variety of trees, shrubs, ground covers, perennials, and annuals for the site. She feels it will be a real show piece.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS - None

VIII. OLD BUSINESS

A. A Resolution to Amend the City of Chesterfield Comprehensive Plan. Specifically the Plan will be amended to reflect new land use and Plan Policies for the area known as the Wild Horse Creek Sub-Area, a.k.a. the "bowtie."

Commissioner Sherman made a motion to adopt the Resolution. The motion was seconded by Commissioner Perantoni.

Commissioner Hirsch moved to amend the motion to include the following amendments to the Sub Area Study (amendments in bold):

- Page 6 **–** Neighborhood Office - All property set back 1,920 feet **or less** from the airport runway.
- Page 6 **–** One-Half Acre Residential - Properties located ~~west of Long Road, north~~ **between** Wild Horse Creek Road **and** ~~east of~~ Neighborhood Office **to the north.**
- Page 8 – Site Design – Overall project design should emphasize pedestrian circulation, landscaping, open space, innovative parking solutions, common amenities and significant landscape buffering between **Neighborhood Office** and adjacent residential uses.
- Page 9 – Building (Combining Numbers 2 & 3)
  2. Harmony and continuity of design shall be achieved in the exterior building design. Features on all elevations shall be coordinated with regard to color, types of materials, number of materials, architectural form and detailing **to achieve architectural consistency.** ~~Architectural consistency of colors, materials and detailing shall be provided between all building elevations. False or decorative façade~~

~~treatments, where one or more unrelated materials are placed upon the building, should be avoided.~~ All elevations need not look alike; however, a sense of overall architectural continuity shall occur. **False or decorative façade treatments, where one or more unrelated materials are placed upon the building, should be avoided.**

- Page 9 – One Acre Residential Development – One-acre and larger development ~~shall~~ **should** be encouraged for properties located west of Long Road, north of Wild Horse Creek Road, east of Neighborhood Office. Uses include Single Family Detached.

Commissioners Sherman and Perantoni accepted the above amendments.

Commissioner Broemmer moved to amend the motion to include verbiage stating: "New residential development and other noise-sensitive uses for the bowtie should be prohibited down to at least the 60 DNL contour and, where practical, down to the 55 DNL contour. Neighborhood Office may be allowed above the 60 DNL contour."

Commissioner Broemmer felt the above language would be more helpful in a legal situation than the reference to the 1,920 foot line.

The amendment to the motion was not accepted by Commissioner Sherman and **died due to the lack of a second.**

Upon roll call, the vote to adopt the Resolution, with the amendments to the Sub Area Study, was as follows:

Aye: Commissioner Perantoni, Commissioner Sandifer, Commissioner Sherman, Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Hirsch, Chairman Macaluso

Nay: None

The motion passed by a vote of 9 to 0.

(The meeting recessed for ten minutes.)

B. P.Z. 11-2005 129 Long Road (Citrin Property): A request for rezoning from "M3" Planned Industrial to "PC" Planned Commercial district for a .43-acre parcel located on the west side of Long Road, approximately 550 feet south of Chesterfield Airport Road (LOCATOR NUMBER 17U140032)

Project Planner Kyle Dubbert stated The Public Hearing was held on August 8, 2005.

ISSUES

1. Consideration for a deferred zoning
2. Review the Permitted Uses
3. Review the handicapped access

C. **P.Z. 22-2005 Wings Corporate Estates:** A request for rezoning from "NU" Non Urban to "PI" Planned Industrial District for 3 parcels totaling 36.6-acres, located on the east side of Eatherton Road, south of Olive Street Road and on the north side of Wardenburg Road (LOCATOR NUMBERS 18W-43-0057, 18W-44-0067, 18W-53-0025)

Project Planner Kyle Dubbert stated the following:

- The Public Hearing was held on September 26, 2005.
- The Issues Meeting was held on November 28, 2005.
- Remaining issues include the location of the sign identifying the site; and the review of open space for these parcels.

Commissioner Perantoni referred to page 3 of the Attachment A, which still includes the use of (kkk). She noted that the Petitioner had agreed to eliminate use (kkk) – "Terminals for buses and other public mass transit vehicles". After further discussion, it was agreed to include use (kkk) in the Attachment A.

Commissioner O'Connor suggested that screening be included for storage yards.

Commissioner Banks made a motion to approve P.Z. 22-2005 Wings Corporate Estates. The motion was seconded by Commissioner Macaluso.

Commissioner Sherman moved to amend the motion that screening for outside storage be approved on the Site Development Plan. The amendment was accepted by Commissioners Banks and Macaluso.

Upon roll call, the vote was as follows:

Aye: Commissioner Sandifer, Commissioner Sherman, Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Hirsch, Commissioner O'Connor, Commissioner Perantoni, Chairman Macaluso

Nay: None

The motion, as amended, passed by a vote of 9 to 0.

D. **P.Z. 24-2005 Kommerz LLC (Clock Tower Plaza):** A request for a change of zoning from "C-8" Planned Commercial to "PC" Planned Commercial for a 2.61-acre parcel located south of Chesterfield Airport Road, east of Chesterfield Commons East Road. (Locator Number 17T24-0243)

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, stated that the Public Hearing was held on October 10, 2005. She noted that some issues were raised during the Work Session that were listed as "*Petitioner has addressed the issue*". In reviewing those, Staff has determined that most of the language is boiler-plate language that typically goes into the Attachment A. With the Commission's approval, Staff recommends that these issues be closed at this time as they will be written into the Attachment A and handled as a condition of development for the site.

ISSUES:

1. Regarding the 454 contour and the landscaping, provide a rendering showing how the area can possibly be landscaped or provide a 3-D slide presentation showing how the building will fit on the site and how the landscaping will occur with all of the flood plain, the contours, and everything that is not allowing landscaping to occur.
2. Verification on percentage of open space.
3. Clarification on what part of the THF or The Commons ordinance the Commission may want to incorporate in the Attachment A – such as, colors, time for garbage pick-up, noise, etc.
4. Review circulation within the site – especially for deliveries. Provide clarification as to what kinds of trucks will be in there or whether there is a possibility of a smaller building being built on the site.
5. How close are the residences to this development compared to the THF development? What is the impact on the residents?

Commissioner Broemmer stated that he is not in agreement with eliminating the use of "Animal Hospital and Kennel".

E. **P.Z. 25-2005 Duke Realty L.P. (St. John's Mercy Rehabilitative Facility):** A request for an amendment to City of Chesterfield Ordinance 1669 to permit additional uses and amendments to setback requirements in conjunction with a revised preliminary plan for a 6.048-acre "PC" Planned Commercial District located South of Conway Road, approximately 900 feet east of Still House Creek Road (LOCATOR NUMBER 18R210441)

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, stated the following:

- Staff has discussed the issue of Trust Funds with the Department of Public Works. Information has also been received from St. Louis County Highways and Traffic. There are two different Trust Funds in the area:
  1. "The Route 40 Corridor Trust Fund" established by St. Louis County. Delmar Gardens has contributed $228,674 to this Trust Fund.
  2. "The North Outer 40 Trust Fund" established by the City of Chesterfield in 2000. To date, the Trust Fund has $231,988.99.
- Mr. Geisel of the Public Works Department has indicated that there is no established, approved, written threshold of a certain amount of square footage triggering particular improvements.

No additional issues were raised.

F. **P.Z. 26-2005 Chesterfield Ridge Phase Two (Kemp Homes):** A request for a change of zoning from "NU" Non-Urban District to an "R-5" Residence District for 2.60 acre tracts of land located southeast of Clarkson Road, south of Chesterfield Ridge Road. (19T32-0039 & 19T32-0017)

and

G. **P.Z. 27-2005 Chesterfield Ridge Phase Two (Kemp Homes):** A request for a Planned Environment Unit (PEU) Procedure within an "R-5" Residence District for 10.97 acre tracts of land located southeast of Clarkson Road, south of Chesterfield Ridge Road.
(19T320039, 19T320017,19T320743, 19T320754, 19T320732, 19T320501, 19T320512, 19T320523, 19T320534, 19T320545, 19T320556, 19T320765, 19T320721, 19S110567, 19S110699, 19T320578, 19S110688, 19S110701, 19S110666, 19T320589, 19S110655, 19T320590, 19S110644, 19T320600, 19S110633, 19T320611, 19S110622, 19T320622, 19T320710, 19T320633, 19T320701, 19T320644, 19T320699, 19T320655, 19T320688, 19T320666, 19T320677, 19T320039, 19T320017)

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, stated the following:

- Regarding the concern about slowing down the water flow as it enters the wetland areas, Public Works has reviewed the language in the Attachment A to make sure there is the least amount of impact as possible on the adjacent neighborhoods.
- There is a requirement that the condition of the downstream area has to be determined at a pre-construction survey. They have to review the site before construction - and what is done at completion, must match the site prior to commencement of construction.

Commissioner Asmus made a motion to approve P.Z. 26-2005 Chesterfield Ridge Phase Two (Kemp Homes). The motion was seconded by Commissioner Broemmer.

Commissioner Macaluso moved to amend the motion to include the condition that the sidewalk be so constructed to save tree #12. The motion was seconded by Commissioner O'Connor. Commissioners Asmus and Broemmer accepted the amendment.

Upon roll call, the vote was as follows:

Aye: Commissioner Sherman, Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Hirsch, Commissioner O'Connor, Commissioner Perantoni, Commissioner Sandifer, Chairman Macaluso

Nay: None

The motion, as amended, passed by a vote of 9 to 0.

Commissioner Asmus made a motion to approve P.Z. 27-2005 Chesterfield Ridge Phase Two (Kemp Homes). The motion was seconded by Commissioner Broemmer.

Regarding the storm water issue, Commissioner Sherman noted that the Department of Public Works will be working with the Petitioner. She encouraged the citizens to stay involved.

Upon roll call, the vote was as follows:

Aye: Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Hirsch, Commissioner O'Connor, Commissioner Perantoni, Commissioner Sandifer, Commissioner Sherman, Chairman Macaluso

Nay: None

The motion passed by a vote of 9 to 0.

H. P.Z. 13-2005 Stallone's Formal Wear (Phillip & Candace Stallone): A request for rezoning from "R-3" Residence District to "PC" Planned Commercial district for a .42-acre parcel located on the south side of Conway Road, 700 feet west of its intersection with Chesterfield Parkway East. (LOCATOR NUMBER 18S22-0050)

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, stated the following:

- The Public Hearing was held on July 11, 2005.
- The Petitioner has provided a letter stating that they will not have any problem meeting the buffering requirements for adjacent properties, as well as Highway 40.

Commissioner Banks made a motion to approve P.Z. 13-2005 Stallone's Formal Wear (Phillip & Candace Stallone). The motion was seconded by Commissioner Perantoni.

Upon roll call, the vote was as follows:

Aye: Commissioner Banks, Commissioner Broemmer, Commissioner Hirsch, Commissioner O'Connor, Commissioner Perantoni, Commissioner Sandifer, Commissioner Sherman, Commissioner Asmus Chairman Macaluso

Nay: None

The motion passed by a vote of 9 to 0.

For clarification for the record, City Attorney Heggie stated that all the petitions approved in this meeting were approved with their Attachment A.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS:

A. Committee of the Whole
B. Ordinance Review Committee
C. Architectural Review Committee
D. Landscape Committee
E. Comprehensive Plan Committee
F. Procedures and Planning Committee
G. Landmarks Preservation Commission

The Commission was updated on the Planning & Zoning Committee Meeting held December 12th with reference to Blue Valley and the Tree Manual. Blue Valley was moved forward to City Council without any recommendation. Regarding the Tree Manual, The Committee clarified the responsibilities between the Departments of Public Works and Planning. Other issues pertaining to the Tree Manual have been referred to the Landscape Committee.

Councilmember Casey thanked the Commission for all their work on the bowtie issue.

XI. ADJOURNMENT

The meeting adjourned at 9:46 p.m.

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Lynn O'Connor, Secretary