PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
DECEMBER 13, 1993

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

PRESENT | **ABSENT**

Mr. Fred Broemmer
Ms. Mary Brown (arrived after roll call)
Mr. Dave Dalton
Ms. Mary Domahidy (arrived after roll call)
Mr. Bill Kirchoff
Ms. Patricia O'Brien
Mr. Walter Scruggs
Ms. Victoria Sherman
Chairman Barbara McGuinness
Mr. Douglas R. Beach, City Attorney
Councilmember Susan Clarke
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

INVOCATION - City Attorney Douglas R. Beach

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS - None

APPROVAL OF THE MINUTES

Commissioner Kirchoff made a motion to approve the minutes from the meeting of November 22, 1993. The motion was seconded by Commissioner Sherman **and passed by a voice vote of 9 to 0.**

The Chair recognized the Honorable Jack Leonard, Mayor of Chesterfield.

PUBLIC COMMENTS - None

OLD BUSINESS - None

NEW BUSINESS

A. P.Z. 18 & 19-93 Nooning Tree Partnership; "NU" Non-Urban District to "R-3" 10,000 Square Foot Residence District and Planned Environment Unit Procedure in the "R-3" 10,000 square foot Residence District; south side of Olive Boulevard, east of the intersection of Appalachian Trail and Olive Boulevard.

Senior Planner Laura Griggs-McElhanon stated the Department recommends this item be held pending submittal of a revised plan.

Commissioner Domahidy made a motion to **hold** this matter. The motion was seconded by Commissioner Sherman **and passed by a voice vote of 9 to 0.**

The Chair recognized the honorable Susan Clarke, Councilmember for Ward II, and the honorable Dick Hrabko, Ward IV.

B. **P.Z. 28-93 Caplaco Seven Inc**; Conditional Use Permit (CUP) in the "C-2" Shopping District; Four Seasons Shopping Center, south side of Olive Street Road, west of Woods Mill Road.

Ms. Toni Hunt, Planner I, identified the issues being reviewed by the Department, noting that, in keeping with Commission policy, the Department recommends this matter be held until January 10, 1994.

A motion to **hold** this matter was made by Councilmember Broemmer. The motion was seconded by Commissioner Kirchoff **and passed by a voice vote of 9 to 0.**

C. **P.C. 60-81 Richard Halbman (White Gate Farms)**; request for Amendment of Planned Environment Unit (PEU) in "R-5" 6,000 Square Foot Residence District; north side of Clayton Road, east side of Clayborn Drive.

Joe Hanke, Planner II, presented the request and the Department's recommendation that a public hearing be scheduled for this matter.

Commissioner Kirchoff made a motion to schedule a public hearing on this matter. The motion was seconded by Commissioner Domahidy.

COMMENTS/DISCUSSION BY COMMISSION

- Concern was expressed regarding access to the development.

Mr. Hanke noted the Department believes it necessary for the developer to present his petition for an amendment, as the Department has concerns regarding the access, particularly the use of an adjoining alley, which would have to be brought up to standard.

- The Department believes the developer needs to enter into an agreement with the Condominium Association to upgrade the access to the subject tract.

- The petitioner will be required to submit a formal plan to the Planning Commission, along with the presentation at the public hearing.

- Various access possibilities were discussed, including the alley and Claymoor Drive, which would necessitate crossing the common ground area of the adjacent condominium development.

- The public hearing will allow for input from all adjoining property owners, specifically the White Gate Farm Condominium Association and Broadmoor Association.

- The feasibility of allowing three (3) additional homes, with no access, was questioned.

- Planning Department Staff and Public Works Department Staff have had several meetings with Mr. Halbman and his representatives, emphasizing that access is a major concern to be addressed.

- The petitioner was advised it would behove him to provide a reasonable means of access prior to a public hearing being scheduled.

The motion to **schedule a public hearing passed by a voice vote of 9 to 0.**

D. **P.C. 63-85 J.L. Mason of Missouri, Inc. (Bull Moose Tube)**; request for amendment of "C-8" Planned Commercial District Ordinance; west side of Clarkson Road, south of Baxter Road.

Senior Planner Laura Griggs-McElhanon presented the request and the Department's recommendation to **approve** the amendment, subject to conditions stated in the Department's report.

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

COMMENTS/DISCUSSION BY COMMISSION

- The origin of the comment regarding no research labs, medical and dental office and banks was discussed.
- Medical offices require a greater amount of parking than normal office uses, and traffic is impacted differently by various types of office uses.
- The additional office space is requested for a proposed tenant.
- The current approved buildings (totalling 82,500 square feet) require provision of 273 parking spaces. The approved plan indicates provision of 307 spaces.
- The footprint of the proposed enlarged building will identify the specifics. If the building changes location it could require some changes in parking.
- The ordinance clearly states that part of the building can be underground.
- There are currently sixteen (16) parking spaces underground.

Commissioner O'Brien expressed the desire to go on the record as being a real proponent of underground parking.

The motion to **approve** the Department's recommendation **passed by a voice vote of 9 to 0.**

E. **D.L. 2-49 Spirit of St. Louis Airport**; request for amendment of "M-3" Planned Industrial District Ordinance; south side of Chesterfield Airport Road, east and west of Spirit Industrial Boulevard.

Director Duepner presented the request and the Department's recommendation of approval of amending the ordinance to allow the uses allowed in the "M-1" District, both conditional and permitted, as indicated in Attachment A. He further recommended that two other amendments be included in Attachment A: 1) the prohibition of outdoor storage of building materials; and 2) advertising signs not be permitted.

COMMENTS/DISCUSSION BY COMMISSION

- There was discussion regarding the lack of change in the Trust Fund status.

Director Duepner noted the areas that are currently exempt from the Trust Fund contribution (i.e., Chesterfield Industrial Park, Industrial Parks on the north side of Highway 40, Spirit 40 Center and adjacent development, the location of the City's Public Works Facility on Centaur Road, areas along Long Road, Chesterfield Airport Road, the Poehlman development, etc.). They are projects and developments approved **prior** to the establishment of the Trust Funds, and continue to be exempt.

- It is the Department's belief, in keeping with the original intent of the ordinance, that churches should not be allowed in the airport.

- The issue of incinerators was discussed.

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

COMMENTS DISCUSSION BY COMMISSION

- The original ordinance indicated manufacturing, processing or fabrication of any commodity is permitted.

A motion to amend the original motion to **exclude** manufacturing of explosives as a permitted use was made by Commissioner Brown. The motion was seconded by Commissioner O'Brien **and passed by a voice vote of 8 to 1, with Commissioner Kirchoff voting no.**

The original motion, as amended, **passed by a voice vote of 8 to 1, with Chairman McGuinness voting no.**

F. **P.Z. 11-93 City of Chesterfield Planning Commission**; a proposal to amend Sections 1003.020 Definitions; 1003.101 "FP" Flood Plain District Regulations; 1003.103 "PS" Park and Scenic District Regulations; 1003.107 "NU" Non-Urban District Regulations; 1003.111 "R-1" Residence District Regulations; 1003.112 "R-1A" Residence District Regulations; 1003.113 "R-2" Residence District Regulations; 1003.115 "R-3" Residence District Regulations; 1003.117 "R-4" Residence District Regulations; 1003.119 "R-5" Residence District Regulations; 1003.120 "R-6A" Residence District Regulations; 1003.120A "R-6AA" Residence District Regulations; 1003.121 "R-6" Residence District Regulations; 1003.123 "R-7" Residence District Regulations; 1003.125 "R-8" Residence District Regulations; 1003.131 "C-1" Neighborhood Business District Regulations; 1003.133 "C-2" Shopping District Regulations; 1003.135 "C-3" Shopping District Regulations; 1003.137 "C-4" Highway Service Commercial District Regulations; 1003.141 "C-6" Office and Research Service District Regulations; 1003.143 "C-7" General Extensive Commercial District

Regulations; 1003.151 "M-1" Industrial District Regulations; 1003.153 "M-2" Industrial District Regulations; 1003.168 Sign Regulations - General; 1003.168A Sign Regulations for "FP", "PS", "NU", and All "R" Districts; 1003.168B Sign Regulations for All "C", "M", and "MXD" Districts; 1003.168C Subdivision Information Signs; and, 1003.168D Temporary Signs of the City of Chesterfield Zoning Ordinance relative to sign regulations.

Chairman McGuinness noted that this matter is being presented for approval tonight, in concept only.

Mr. Hanke, Planner II, reported as follows:

The Department is requesting conceptual approval at this time to allow the Planning Commission to go back and make any amendments to the recommendations in the three (3) sections being presented tonight, should discussion of the remaining sections necessitate amendments. The Department believes it appropriate to present the overview and the three (3) administrative sections of the ordinance. The Department also wishes to update the Commission on those items for which the Committee directed Staff to make recommendations. The Department, on behalf of the Committee of the Whole, also desires to include ideas/comments/concerns of those persons who were not involved with the Ordinance Review Committee at its inception.

Chairman McGuinness stated that the Commission will act at its next meeting on the remaining sections, and Mr. Beach has offered to review the billboard issues prior to that time. There will be a vote on the entire document at the next Planning Commission meeting prior to sending it on to City Council for consideration.

Mr. Hanke, Planner II, stated that Staff will likely make further recommendations with regard to the whole issue of billboards.

Mr. Hanke, Planner II, stated the overview portion of the report was necessary to document the underlying tenets and philosophy, and the entire nature of the comprehensive review conducted by the Ordinance Review Committee and Staff.

Committee Chair Brown stated the initial decision to undertake the review was due to the Planning Commission's difficulties in implementing the provisions of Ordinance No. 129. The concern was that the Planning Commission actions were not reflective of what the ordinances allowed.

Mr. Hanke, Planner II, restated Ms. Brown's concern as follows: "a difficulty on the part of the Planning Commission as a Whole in reconciling their problems with Ordinance No. 129, which required the justification be presented to allow a sign that

the general ordinance already provided for, as opposed to utilizing the justification component, which is currently incorporated in the draft proposal that sets maximums, which are less, in the case of the business signs, than that which is currently in the ordinance. This would provide a vehicle, if the justification component is shown on the part of the proponent, to have his sign increased (just the inverse of how we are currently operating). This concept will be incorporated into the final document. Mr. Hanke requested the Commission Members to return the bound versions of the proposed revisions to him tonight so that he may incorporate the remaining sections and remaining analysis that will go into the final report. He encouraged the Commission Members to make notes on their copies, to be incorporated into the new version of the entire report.

Commissioner Domahidy noted that when they first met with other representatives on this matter, they utilized language that Commissioner Brown referred to.

Commissioner Scruggs requested we include in the overview that the Commission developed this document with input from outside contacts.

Mr. Hanke stated there is a section that is not included in tonight's report, that had a complete reiteration of all that transpired. This represents a complete chronology and will be included in the final document.

The following changes were suggested:

- There should be a Table of Contents in the front of the document. Appendix A will be incorporated into the front of the document (a Table of Contents relating to the document itself). Appendix A will relate, essentially, to the attachments.

- Overview Section - Page 3.

  Add the word aesthetics to number 2, as follows: "To be cognizant that the overriding purpose of any set of zoning regulations is to preserve the health, convenience, *aesthetics*, welfare and/or safety of the community."

- Analysis Section - Page 6. Area and Height Computations.

  The Commission concurred with the thirty percent (30%) computation for the trim.

The term "board" or "wooden" signs is to be incorporated into the definition, clearly describing what is intended (i.e., any signs made of plywood, particle board, cardboard, etc.). Types of materials believed to fall under the broad heading of a "board" sign will be incorporated into the definitions presented at the January Commission meeting.

Subdivision direction signs, promotion signs, etc., are encouraged to have trim.

The Commission desires to dress-up the plywood signs, without penalizing them in the process.

Civic Progress comments regarding support structures and the word "graphic representation" were topics reiterated by the Committee and addressed by the addition of the modifier "graphic."

- Non-Conforming Signs - Page 7

  This section reflects the comments of City Attorney Doug Beach. A "two tier system" which would make a differentiation between the "pre-1965" and "post-1965" signs, is one he believes is counter to the broad intent of limiting non-conforming uses. It is recommended that the initial comments made by Mr. Beach be addressed with regard to the non-conforming section. By doing so, the non-conforming sign section is the same in purpose and intent as the non-conforming use section under which we are currently operating.

Mr. Hanke stated the Department would recommend conceptual approval of the attachments included herein, with the understanding that additional comments may be made with regard to the sections as the result of reviewing the remaining sections (permanent sign section, temporary sign section and definitions) of the ordinance, and additions to other (non-sign) sections of the ordinance. There will be a complete reiteration of the chronology of all the Committee meetings which will be inserted in the final document.

Commissioner Brown made a motion to conceptually approve the document, as amended tonight. The motion was seconded by Commissioner O'Brien **and passed by a voice vote of 9 to 0.**

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

A. **Brook Hill Estates Addition Plat Two**; Planned Environment Unit (PEU) in the "R-2" 15,000 Square Foot Residence District Subdivision Record Plat; west side of Straub Road, north of Clayton Road.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve the Brook Hill Estates Addition Plat Two request. The motion was seconded by Commissioner Domahidy **and passed by a voice vote of 9 to 0.**

B. **P.C. 62-75 Steak 'N Shake**; "C-8" Planned Commercial District Freestanding Business sign; south side of Olive Boulevard, east of Woods Mill Road (Highway 141).

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve P.C. 62-75, as proposed. The motion was seconded by Commissioner Sherman **and passed by a voice vote of 9 to 0.**

C. **P.C. 16-92 Barken-Dubinsky Partnership (St. Louis Family Church)**; "M-3" Planned Industrial District Site Development Section Plan; Chesterfield Airport Road at Valley Center Drive.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve P.C. 16-92, as proposed. The motion was seconded by Commissioner Brown **and passed by a voice vote of 9 to 0.**

D. **Full Gospel Church of St. Louis**; "NU" Non-Urban District Amended Site Plan and Building Elevations; south side of Wild Horse Creek Road, east of Wild Horse Parkway.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve the request, as proposed. The motion was seconded by Commissioner Brown **and passed by a voice vote of 9 to 0.**

E. **P.C. 13-88 Geriatrics Management, Inc. (Terraces at Woods Mill Cove)**; Planned Environment Unit (PEU) in the "R-3" 10,000 Square Foot and the "FPR-3" Flood Plain 10,000 Square Foot Residence Districts Amended Site Development Plan; west side of Old Woods Mill Road, north of Conway Road.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve the request, as proposed. The motion was seconded by Commissioner Brown **and passed by a voice vote of 9 to 0.**

F. **Somerset Plat One**; Planned Environment Unit (PEU) in the "R-1A" 22,000 Square Foot Residence District and "R-2" 15,000 Square Foot Residence District Subdivision Record Plat; north side of Wild Horse Creek Road east of Long Road.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve the request, as proposed. The motion was seconded by Commissioner Brown **and passed by a voice vote of 9 to 0.**

G. **Parkway West Middle School**; "NU" Non-Urban District Amended Site Plan and Building Elevations; east side of Baxter Road, north of Clayton Road.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve the request, as proposed with landscaping additions as recommended by the Department of Planning. The motion was seconded by Commissioner O'Brien **and passed by a voice vote of 9 to 0.**

Senior Planner Laura Griggs-McElhanon noted the petitioner stated there will be screening for their rooftop mechanical equipment.

H. **Wildhorse Springs Subdivision**; Planned Environment Unit (PEU) in the "R-2" 15,000 Square Foot Residence District Subdivision Record Plat; north side of Wild Horse Creek Road, east of the intersection of Wild Horse Creek Road and Wilson Road.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to hold this item for future evaluation of Wildhorse Springs Subdivision. The motion was seconded by Commissioner Sherman.

COMMENTS/DISCUSSION BY COMMISSION

- Clarification was requested regarding the stub streets proposed, both on the previous plan and the current plan.

Mr. Joe Hanke, Planner II, noted the ordinance provides for two (2) stubs. He further noted the original site plan presented at the public hearing showing a cul-de-sac indicated a request for two (2) stubs. In lieu of placing two (2) stubs, the petitioner took out a permanent cul-de-sac and placed the second stub street at the end of the temporary cul-de-sac to accomplish the requirement of having two (2) stub streets to the west.

- The possibility of adjoining property development was discussed.

Mr. Joe Hanke, Planner II, noted that provision has been made, by virtue of the easements located on the plat so that, at some point and time if the stub street was not connected, the Public Works Department could turn the temporary cul-de-sac into a permanent cul-de-sac with associated curb and gutter.

Commissioner Kirchoff expressed disapproval of the grading on this site, as approved by the Public Works Department.

Commissioner Dalton noted that, if the grading were better, it might have had a bearing on the decision tonight.

Mr. Joe Hanke, Planner II, replied as follows:

With regard to the long, narrow configuration of the site itself which requires the contours to daylight at the property line, there is not a lot of room for a great deal of choice with regard to how the perimeter is graded. Subsequently, the center of the site is a reflection thereof. The Public Works Department would concur with the petitioner's engineer in order to make the site balance. He noted the Public Works Department struggled with getting the contours to daylight along Reuther Lane, which is a given, and along the Layton property, which is a given. Therein lies part of the problem which exists in the fact that, irrespective of having to provide them a driveway, the contours need to daylight at the existing contours on the Layton property. The combination of that, plus the narrowness of the site, has necessitated the present grading.

Commissioner Domahidy noted the Comprehensive Planning Committee needs to take grading matters into account as it undertakes the West Area Study, particularly when meeting with the members from the Public Works Committee and Public Works Department.

Commissioner Dalton questioned the zoning of the property, suggesting it could have been zoned for larger lots. He suggested we take a very close look at the area (i.e., roads, grading, etc.) in order to maintain the contour of the land.

Commissioner Brown noted we currently have a Comprehensive Plan policy to preserve the natural contours.

Commissioner Kirchoff stated he believes the Public Works Department should be made more aware of that provision in the Comprehensive Plan and act accordingly.

The motion to **hold was approved by a voice vote of 9 to 0.**

I. **P.C. 284-87 Chesterfield Village Inc.**; "C-8" Planned Commercial District and "FPC-8" Flood Plain Planned Commercial District Site Development Concept Plan; south side of Wild Horse Creek Road, at its intersection with the proposed extension of Baxter Road.

Commissioner Broemmer, on behalf of the Site Plan Review Committee, made a motion to approve the Site Development Concept Plan for P.C. 284-87 Chesterfield Village, for the purposes of grading only for Baxter Road extension. The motion was seconded by Commissioner O'Brien **and passed by a voice vote of 8 to 1, with Commissioner Brown voting no.**

Director Duepner noted the following:

The Planning and Zoning Committee has received six (6) responses from consultants (local firms and a number of out-of-town firms) submitting proposals in terms of revising our Subdivision and Zoning Regulations. The P & Z Committee is reviewing these submittals and will discuss further at the December 22 meeting. The normal process would be that the Committee selects a group of consultants to interview with a final recommendation of Council, since any contract has to be approved by the City Council. The Committee has been made aware of the Commission's willingness to help in the process in any way.

COMMITTEE REPORTS

A. **Ordinance Review Committee** - Waived

B. **Architectural Review Committee**

Committee Chair O'Brien gave the following report:

There were a couple of issues discussed at the Planning and Zoning Committee Meeting of December 9th. One was the issue of architectural elements for rears of single-family homes that abut non-subdivision streets. She reported that one of the organizations that we had sent these draft Guidelines to had responded with a request for specific examples. Because the Committee felt it would appear to be restrictive to have examples, we concluded that we would not include them. Councilmember Clarke felt there needed to be some change in the language. Councilmember Clarke volunteered to provide us with new language on that particular area.

Councilmember Clarke also reported that she felt the Committee looked closely at these Guidelines and was, essentially, in agreement with the Commission.

C. **Site Plan/Landscape Committee**

Chairman McGuinness noted there will be a meeting of this Committee following tonight's Commission meeting.

D. **Comprehensive Plan Committee**

Committee Co-Chair Domahidy reported the following:

Everyone has in their packet a summary of the last meeting. Essentially, they accomplished agreement on what the proposed boundaries of the study would be. This would basically encompass an area bounded on the south by the current City Limits; on the east by Wilson Road; on the north by the St. Louis Southwestern Railroad Right-Of-Way; and on the west by the current City Limits.

The Committee took-up the planning process, its next major task. She noted that, last year, when they discussed the need for a "West Area Study," it was said they would not be able to have staff assistance. As the Committee decided what needed to be accomplished and the size of this area, there is real concern that there be staff assistance involved with this. In absence of that, a consultant is desired. They decided they would like to have a "Working Committee" made up of the Comprehensive Planning Committee Members (6), and five (5) other persons. These five (5) other persons generally would come from the area and have various interests in that area. This would include someone with a design background, someone from the development community, a resident, a trustee, and the Councilmembers from the Ward.

In addition to that "Working Committee" the Comprehensive Plan Committee recognizes it would be beneficial to have representatives from other groups to come and address the Committee.

Committee Co-Chair Dalton noted Ms. Lauren Strutman agreed to serve on the Committee.

Commissioner Brown requested someone on the Committee with a strong environmental background.

Co-Chair Domahidy stated that the Committee has tried to limit the size in order to have a workable group. She believes this issue could be addressed by means of a speaker addressing the Committee.

Director Duepner noted that the question of the Design Criteria and Design Guidelines utilized for the design of streets in residential subdivisions will need to be addressed in the Study. He noted there will, at times, be the need for flexibility in the Design Guidelines (i.e., grading, streets, slopes, etc.).

Co-Chair Domahidy noted the Committee is looking for endorsement tonight so they can forward this on to the Planning and Zoning Committee.

A motion to approve the report was made by Commissioner Domahidy. The motion was seconded by Commissioner Sherman **and passed by a voice vote of 9 to 0.**

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

The meeting adjourned at 8:30 p.m.

Walter Scruggs, Secretary

[MIN12-13.093]