

**PLANNING COMMISSION  
OF THE CITY OF CHESTERFIELD**

**MEETING SUMMARY  
JUNE 25, 2007**

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

**I. PRESENT**

Mr. David Asmus  
Mr. David Banks  
Mr. Fred Broemmer  
Ms. Wendy Geckeler  
Mr. G. Elliot Grissom  
Ms. Lu Perantoni  
Mr. Gene Schenberg  
Mr. Michael Watson  
Chairman Maurice L. Hirsch, Jr.

**ABSENT**

Mayor John Nations  
Councilmember Connie Fults, Council Liaison  
City Attorney Rob Heggie  
Mr. Michael Herring, City Administrator  
Ms. Libbey Malberg, Assistant City Administrator  
for Economic & Community Development  
Mr. Mike Geisel, Acting Director of Planning  
Ms. Annissa McCaskill-Clay, Assistant 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 Perantoni**

**III. PLEDGE OF ALLEGIANCE – All**

Chair Hirsch welcomed new Planning Commissioner Mike Watson to the meeting. He then acknowledged the attendance of Mayor John Nations; Councilmember Connie Fults, Council Liaison; Councilmember Jane Durrell, Ward I; Councilmember Lee Erickson, Ward II; and City Administrator Mike Herring.

**IV. PUBLIC HEARINGS** – Commissioner Banks read the “Opening Comments” for the Public Hearings.

- A. P.Z. 19-2007 St. Mary’s Institute (Goddard School):** A request to amend City of Chesterfield Ordinance 1472 to allow additional uses under the Conditional Use Permit for an approximately 10.262 acre parcel of land located at 1633 Kehrs Mill Road, at the northwest corner of Kehrs Mill Road and Strecker Road.

**STAFF PRESENTATION:**

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

- The Petitioner is requesting the following additional Conditional Uses:
  1. Administrative offices for educational facilities and administrative offices for religious purposes.
  2. Child care centers, child nursery schools, child day nurseries, and child or adult day care homes.
  3. Private, not-for-profit clubs, private, not-for-profit recreational land uses, and community centers.
- The Petitioner is currently allowed the following Conditional Use:
  1. Dormitory or group living facility for religious, educational, or charitable purposes.
- The Public Hearing notification was done in compliance with State statute and City policy.
- The Comprehensive Land Use Plan considers the subject area to be “residential”. The site is currently zoned “LLR” and all the requested Conditional Uses are permitted within the “LLR” zoning.
- Staff has no outstanding issues for this project.
- Planning Commission may vote on this Conditional Use Permit tonight.

Chair Hirsch asked for clarification of the requested use pertaining to clubs, land uses, and community centers. Ms. Yackley responded that the Petitioner intends to allow clubs associated with the school or neighborhood religious youth organizations to use the facility. She indicated that the Petitioner would address this during his presentation.

**PETITIONER’S PRESENTATION:**

1. Mr. Ed Griesedieck, Attorney representing the Petitioner, 1 City Center, St. Louis, MO stated the following:
  - Goddard School is the owner under contract for the subject parcel, which is 10.2 acres in size and zoned “LLR”.
  - The site is the location of the existing Linda Vista School at 1633 Kehrs Mill Road and is owned by the St. Mary’s Institute of O’Fallon.

- The site is part of a larger piece of property. Fifty-eight acres were sold to the Simon Development for single-family development.
- Linda Vista School originally opened at the current location in 1969. It was zoned under St. Louis County as “NU”. In 1998, Chesterfield passed Ordinance 1472 zoning the site and allowing the C.U.P.
- Under Ordinance 1472, Linda Vista School was allowed a variety of uses, including the allowance of operating a school – public or private – including kindergarten, elementary, secondary, and collegiate. The Ordinance notes that daycare centers require a C.U.P. Linda Vista had previously been operating a daycare center but had not received a C.U.P. for it. The Petitioner is requesting a C.U.P. for a daycare center.
- Ordinance 1472 allowed the cultivation of plants and a dormitory.
- The ordinance also states that any building improvements will be reviewed by the Planning Commission. The Petitioner is not requesting Site Plan review at this time. They will present their proposed improvements at a different time.
- Linda Vista School offered education for pre-kindergarten, daycare both before and after school, and kindergarten thru 8<sup>th</sup> grade. The school’s hours of operation were 6:30 a.m. to 6:00 p.m. with a capacity of 300 students.
- The Petitioner is requesting to amend Ordinance 1472 to allow the following:
  1. Administrative offices for educational and religious purposes;
  2. Child care centers, child nursery schools, child day nurseries, and child or adult day care homes.
  3. Private, not-for-profit clubs, private, not-for-profit recreational land uses, and community centers.
- With respect to the third requested use, there are some parochial schools in the area that use the soccer fields and basketball court. The Petitioner would like to allow them the continued use of these facilities. It is intended that the uses would be of a size and use consistent with the approved parking.
- Goddard School would offer services for infants thru kindergartners (infant, first step, pre-toddler, toddler, get-set pre-school, and kindergarten). This would include children from 6 weeks of age to kindergarten age. The operating hours would be from 6:30 a.m. to 6:00 p.m. with the majority of the children arriving by 9:00 a.m. It is expected that Goddard School will have the same amount of traffic as Linda Vista School but with it spread over three hours in the morning. The number of students would be no more than 300, which is the same as Linda Vista School.
- A good portion of the building will be rehabbed, which will be presented at a later time. The rehab will include a new entrance to the building; improvements to some of the access points; interior decoration; renovation of the site; construction of a kitchen; addition of a playground

and landscaping; construction of a gardening and nature center; and restrooms for each classroom.

- Speaker noted that there is a limited choice of service for 6-week old to 2-year old children in the area. There is only one other such facility within 3.5 miles.

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

- **Regarding lighting the ball fields:** The ball fields will not be lighted any differently than the current lighting.
- **Regarding hours of operation:** The hours of operation will remain the same as Linda Vista School – 6:30 a.m. to 6:00 p.m.
- **Regarding administrative offices:** The requested use of “administrative offices” is directly related to the operation of the school. Commissioner Banks suggested that the language be amended to clarify this.

**SPEAKERS IN FAVOR:** None

**SPEAKERS IN OPPOSITION:** None

**SPEAKERS – NEUTRAL:**

1. Ms. Stephanie Macaluso, speaking on behalf of the Trustees of Pacland Place, 1514 Pacland Place, Chesterfield, MO stated the following:
  - Pacland Place is not opposed to Goddard School and welcomes it as a new neighbor.
  - The Trustees have concerns about the following two requested uses:
    1. Adult Daycare Center – They ask that the use be omitted.
    2. Community Center – The Trustees request clarification of how the community center will be used. They are not opposed to the fields being used as they are currently used. They are requesting that “community center” be omitted as a use.

**REBUTTAL:**

1. Mr. Griesedieck stated the following:
  - The Petitioner is not opposed to removing “adult day care homes” as a requested use.
  - Regarding the community center use, it is intended that the use will be consistent with what Linda Vista School had. Ascension School and St. Anselm School use the fields and the Petitioner would like this use to continue. The Fathers’ Clubs are associated with this use also.

Commissioner Perantoni stated that she had expressed her concern in the earlier Work Session about the amount of parking that could be caused by a community center. She added that her concern has been addressed by the Petitioner’s explanation on how the site would be used.

City Attorney Heggie proposed amending Conditional Use 4 as follows (**changes in bold**):

Private, not-for-profit clubs, private, not-for-profit recreational **building and** land uses, and ~~community centers~~ **meeting rooms**.

**ISSUES:**

1. Amendments to the uses regarding: “adult day care homes”; “community centers”; “administrative offices”; and “parking”.

**B. P.Z. 25-2007 Montessori Children’s House (14000 Ladue):** A request to amend St. Louis County Conditional Use Permit Number 600 to allow for an increase in the number of students for an approximately 5.00 acre parcel of land located at 14000 Ladue Road, south of Ladue Road and west of Woods Mill Road.

**STAFF PRESENTATION:**

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

- The Petitioner is requesting an amendment to allow:
  1. an increase in the number of students, during the school year, from 150 to **200**; and
  2. an increase in the number of students, during the months of June, July and August, from 60 to **100**.
- All Public Hearing notification requirements were followed.
- The Comprehensive Land Use Plan designates the area as “Residential Single Family”.
- The Conditional Use request is consistent with the zoning designation.
- Staff has no outstanding issues with the project and it has been placed on the agenda for the Commission’s consideration for vote.

**PETITIONER’S PRESENTATION:**

1. Mr. John King, Attorney representing the Petitioner, 7701 Forsyth, Clayton, MO stated the following:
  - The subject daycare center and school have been at its current location since 1988, at which time a Conditional Use Permit was received from St. Louis County to open the Montessori School.
  - They are requesting an increase in the number of students for the months of September thru May from 150 to 200; and an increase in the number of students for the months of June thru August from 60 to 100.
  - In 2000, Montessori was granted an amendment to its Conditional Use Permit to add square footage to the site. An additional 7,000 square feet has been added to the present school, which includes additional classrooms, administrative offices, a lobby and an elevator. The school has the right to still build a gymnasium under the Conditional Use Permit.

- They have met all the requirements of the State and County to increase the student enrollment.
- The hours of operation are from 7:00 a.m. to 6:00 p.m. Monday-Friday.
- The ages of the children who attend the school are between 3 years old and 12 years old.
- An after-daycare program is provided at 3:00 p.m., which generally involves 20-30 children.
- Responding to a letter from the neighboring resident, Dr. Naphtali Dunski, regarding the location of the playground and tennis courts, Mr. King questioned whether the person had moved into the house knowing of the school's location.
- It would be impossible for the school to move the playground and the tennis courts because the tennis courts are adjacent to the swimming pool and already at this location. The playground area is located immediately adjacent to the tennis courts and right behind the building so that it is convenient to the school. This location is for safety factors allowing the children to be watched. Not all of the children will be on the playground at the same time.
- Fifty parking spaces are located below the building. Motorists enter the site at the entrance located furthest to the north and drop their children off at the portico.
- The green space calculation will remain the same.

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

- **Regarding adding a row of trees along the fence separating the school property from the three immediate neighbors:** The Petitioner has no problem with adding the requested trees. Dr. Dunski will be contacted to determine if he would prefer the trees in his yard, which would screen the fence from his view and which would provide a buffer from the noise.
- **Regarding whether the presented sketch depicts an easement or a setback line, which may prevent the addition of trees:** Trees could be added to the upper portion of the Site Plan even if an easement exists.
- **Regarding whether the paved surface prevents the addition of trees:** The pavement does not go over the building line nor does it go into anyone's yard or easement.
- **Regarding adding a new playground on the east side of the school:** It would be very difficult to add a playground on the east because this location would not provide supervision for the children as there is for the existing playground. It was also noted that the children would have staggered play times on the playground so not all of the children will be outside at one time,
- **Regarding whether the existing playground needs to be expanded to accommodate the larger enrollment:** The playground does not need to be expanded because of the staggered play times.

**SPEAKERS IN FAVOR:** None

**SPEAKERS IN OPPOSITION:** None

**SPEAKERS – NEUTRAL:** None

**REBUTTAL:** None

**ISSUES:**

1. The addition of trees as directed by Staff.

- C. **P.Z. 33-2007 City of Chesterfield (Telecommunications Ordinance)**: A request for repeal of City of Chesterfield Ordinance 1214, and replacing it with a new ordinance establishing rules and regulations for the siting, construction and modification of wireless telecommunications facilities.

Ms. Annissa McCaskill-Clay stated the following:

- On December 2, 1996, the City of Chesterfield approved Ordinance 1214 in response to the Federal Telecommunications Act.
- The purpose of the Ordinance was to establish policies to address issues of demand, visual mitigation, noise, engineering, residual impacts, health, and facility siting.
- Since its passage in 1996, the Ordinance has never been updated, despite advancements in the technology and an increase in its usage.
- **Differences between the existing Ordinance 1214 and the Proposed Ordinance:**

<b>Ordinance 1214</b>	<b>Proposed Ordinance</b>
Public Hearing not always required.	Public Hearing is required for all requests.
No maximum height. However, criteria is provided for structures under 120 feet.	Maximum height is 110 feet.
Towers over 100 feet in height must be able to accommodate at least 2 users.	Towers at maximum height must accommodate at least 3 users.

No application fee or performance security.	\$5,000 application fee (\$2,000 for collocators) and a minimum \$75,000 performance security in the form of a bond.
No review of telecommunications ordinance.	Mandatory review of the telecommunications ordinance every 5 years
Penalties are outdated and no language for removal of abandoned or damaged properties.	Up-to-date penalties and provisions for removal of damaged or abandoned towers.
Some applications may be approved administratively by staff.	Final approval of all applications is by the City Council.

Commissioner Broemmer asked that the above table of comparisons be included in the meeting packet when P.Z. 33-2007 City of Chesterfield (Telecommunications Ordinance) comes up for vote.

**SPEAKERS IN FAVOR:**

1. Ms. Lauren Strutman, 16120 Walnut Hill Farm Drive, Chesterfield, MO stated the following:
  - She complimented the Planning Commission, City Attorney, and Staff for the well-written ordinance.
  - She encouraged the Commission to approve the proposed ordinance as soon as possible.

Chair Hirsch expressed the Commission's appreciation to Ms. Strutman for her input in the process of the proposed ordinance.

**SPEAKERS IN OPPOSITION:** None

**SPEAKERS – NEUTRAL:** None

**REBUTTAL:** None

**ISSUES:** None

Commissioner Banks read the Closing Comments for the Public Hearings.



Chair Hirsch announced that Commissioner Watson has advised him that he will be abstaining from the voting process at this meeting since he was just appointed to the Commission last week.

## V. APPROVAL OF MEETING MINUTES

**Commissioner Broemmer made a motion to approve the minutes of the June 11, 2007 Planning Commission Meeting.** The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 7 to 0 with Commissioners Asmus and Watson abstaining.**

## VI. PUBLIC COMMENT

**RE: P.Z. 29-2006 Wildhorse Bluffs (Wildhorse Partners LLC)**

### **Petitioner:**

1. Mr. Paul Ground, Attorney representing the Petitioner, 14611 Manchester Road, Manchester, MO stated the following:
  - The subject site is the “knot of the bowtie” and is rather unique in terms of the fact that the site is not deep before it comes to the bluffs and falls away about 200 feet.
  - The developer is proposing four single-family residences for the site.
  - To develop the site as proposed, a change in the setback is required.
  - The two ordinances governing the site require an 80-foot setback – a fifty foot-setback and a 30-foot landscape buffer. They are requesting that the fifty-foot setback required in the overlay be the required setback. If an 80-foot setback is required, it makes the site nearly un-developable for any purpose.
  - They have tried to limit the impact of the bluffs to about 10% on one lot. They are trying to develop the site within the City’s intentions for the area and within the zoning and Wild Horse Overlay requirements.
2. Mr. Chris Maniscalco, Wind Engineering Company, 134 Glenn, Ballwin, MO was available for questions.

Commissioner Perantoni stated that it was her understanding that the City is encouraging developers to work with the site – and not to impose a building in this “kind of precarious area – especially the knot of the bowtie”. If the setback requirement is reduced, she asked if anything else will be done for Lots 3 and 4 that would work with the existing topography.

Mr. Maniscalco, Wind Engineering Company, responded that, in general, the site is relatively flat up towards Wild Horse Creek Road - so the further the houses are moved forward, the less the trees will be impacted. At that point, not much of

the top of the hill will be impacted. Enough of a drainage pattern could be created to cause less damage to the hill with the construction. They are basically moving all the construction up into the flattest area of the site.

Commissioner Perantoni noted that Lots 3 and 4 still show the buildings within drainage areas and asked if this will be a standard foundation. Mr. Maniscalco replied that all the units will be the same.

Commissioner Perantoni stated she is unsure of her position at this time because she wants developers to work with the topography – not just move the building and get less of a setback – but work with architecture that would be gentler on the topography.

Councilmember Fults gave a brief history regarding the site stating that she and past-Councilmember Brown had met with the developers and their attorney regarding the proposal. The original intentions for the site included an office building and then a multi-family development comprised of 10-12 condo units. Ward IV Council members asked the developers to propose a one-acre residential project, as called out in the overlay. She is encouraged with the present proposal of one-acre residential and is comfortable with a fifty-foot landscape buffer.

Commissioner Geckeler asked what the limits of disturbance are for the hillside beyond the foundation. Mr. Maniscalco stated that the estimate is 10% for the upper part of the bluff being disturbed.

Commissioner Broemmer asked where the site falls with respect to the decibel level in connection with the Airport. Chair Hirsch replied that this area was outside of the level, and the line, as defined by the Commission in the Wild Horse Overlay in terms of it being acceptable residential.

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**RE: P.Z. 21-2007 River Crossing (Lamborghini of St. Louis)**

**Petitioner:**

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO was available for questions.
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**RE: P.Z. 23-2007 Wood Lake Section 3 Children Discovery Learning Center**

**Petitioner:**

1. Ms. Karen Kanyuck, 940 North Woods Mills Road, Chesterfield, MO replied to questions from the Commission.

**Regarding construction being started on the site before Planning Commission approval:** Some pea gravel was brought in on the parking lot because the State required more coverage in the play yard. State also required a

vinyl fence around the drainage easement vs. the existing chain link fence so the fence could not be climbed. The trucks who brought in the gravel hit the covered overhang and fence. A County inspector required the repair of the overhang and fence – a temporary chain-link fence was put up to address the safety issue.

Railroad ties, tires, and a dryer had been dumped on the site and they have had those removed.

**Regarding whether there is a fence around the drainage area in the paved area of the site:** Ms. Kanyuck stated that there is no fence around this area. She noted that it was never brought up as an issue of any kind.

## VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **144 South Eatherton:** A request for an increase in building height for new residential construction zoned “NU” Non-Urban District on a 4.3 acre tract of land located at 144 South Eatherton Road.

**Commissioner Schenberg**, representing the Site Plan Committee, made a motion to approve the increase in building height for **144 South Eatherton**. The motion was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0 with Commissioner Watson abstaining.**

- B. **Chesterfield Blue Valley (P.Z. 28-2004 Blue Valley/Agricola Associates):** A request for an eighteen (18) month time extension to submit a Site Development Plan for a 55.8 acre-“PC” Planned Commercial District located on the north side of Olive Street Road, approximately .5 miles west of the intersection of Olive Street Road and Chesterfield Airport Road.

**Commissioner Schenberg**, representing the Site Plan Committee, made a motion to approve the eighteen-month time extension for **Chesterfield Blue Valley (P.Z. 28-2004 Blue Valley/Agricola Associates)**. The motion was seconded by Commissioner Grissom and **passed by a voice vote of 8 to 0 with Commissioner Watson abstaining.**

## VIII. OLD BUSINESS

- A. **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, stated there are no outstanding Staff issues other than the Petitioner's request to reduce the front yard setback from 80 feet to 50 feet.

Chair Hirsch stated that the subject petition will take three votes regarding: (1) the setback reduction; (2) the Wild Horse Overlay; and (3) the rezoning.

**Commissioner Schenberg made a motion to reduce the setback from 80 feet to 50 feet.** The motion was seconded by Commissioner Grissom and **passed by a voice vote of 7 to 1 with Commissioner Broemmer voting "no" and Commissioner Watson abstaining.**

**Commissioner Schenberg made a motion to bring the petition under the Wild Horse Overlay.** The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 7 to 1 with Commissioner Broemmer voting "no" and Commissioner Watson abstaining.**

Commissioner Perantoni referred to the language in the Attachment A with respect to the location of gates. She suggested having this language removed and making gates not applicable to this property because of the sight line.

**Commissioner Grissom made a motion to approve P.Z. 29-2006 Wildhorse Bluffs (Wildhorse Partners LLC), as amended above, and with the following amendment to Section H. of the Attachment A:**

Public/Private Road Improvements, Including Pedestrian Circulation

- ~~1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the Missouri Department of Transportation. No gate installation will be permitted on public right of way.~~ **No gates shall be permitted in this development.**
- ~~2. If a gate is installed on a street in this development, the streets within the development or that portion of the development that is gated shall be private and remain private forever.~~
2. Provide a five (5) foot wide sidewalk, conforming to ADA standards, along the Wild Horse Creek Road frontage of the site. The sidewalk may be located within State right-of-way, if permitted by the Missouri Department of Transportation, or within a six (6) foot wide sidewalk, maintenance and utility easement.

The motion was seconded by Commissioner Perantoni.

Upon roll call, the vote was as follows:

**Aye:** Commissioner Asmus, Commissioner Banks,  
Commissioner Geckeler, Commissioner Grissom,  
Commissioner Perantoni, Commissioner Schenberg,  
Chairman Hirsch

**Nay:** Commissioner Broemmer

**Abstention:** Commissioner Watson

The motion passed by a vote of 7 to 1 with 1 abstention.

- B. P.Z. 19-2007 St. Mary's Institute (Goddard School):** A request to amend City of Chesterfield Ordinance 1472 to allow additional uses under the Conditional Use Permit for an approximately 10.262 acre parcel of land located at 1633 Kehrs Mill Road, at the northwest corner of Kehrs Mill Road and Strecker Road.

City Attorney Heggie stated that any changes to the parking will require a new Site Plan showing the parking.

**Commissioner Banks made a motion to approve P.Z. 19-2007 St. Mary's Institute (Goddard School) with the following amendments to Conditional Use Permit #27:**

The following Conditional Uses shall be allowed in this development:

2. Child care centers, child nursery schools, child day nurseries and child or adult day care homes.
3. Administrative offices for **onsite** educational facilities and administrative offices for **onsite** religious purposes.
4. Private, not-for-profit clubs, private, not-for-profit recreational **building and** land uses, and ~~community centers~~ **meeting rooms.**

The motion was seconded by Commissioner Geckeler.

Upon roll call, the vote was as follows:

**Aye:** Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner Grissom, Commissioner Perantoni, Commissioner Schenberg, Commissioner Asmus, Chairman Hirsch

**Nay:** None

**Abstention:** Commissioner Watson

The motion passed by a vote of 8 to 0 with 1 abstention.

- C. P.Z. 21-2007 River Crossing (Lamborghini of St. Louis):** A request for an amendment to City of Chesterfield Ordinance Number 1871 to allow for an increase in the number of buildings, increase the number of lots, and to amend the structure and parking setbacks for lots currently known as Lot 6 and Lot 7 of River Crossing Development, zoned "PC" Planned Commercial and located north of Chesterfield Airport Road and Arnage Blvd, containing 2.58 acres of land. (17U520049)

Ms. Aimee Nassif, Senior Planner, stated that the site is currently zoned "PC" Planned Commercial. There are currently seven lots in the development. The owners of the northern-most lots have requested the Ordinance amendment to allow for an increase in the number of lots; an increase in the number of buildings; and a change in the setbacks. The Public Hearing was held on June 11<sup>th</sup> and there were no issues at that time.

Commissioner Broemmer made a motion to approve P.Z. 21-2007 River Crossing (Lamborghini of St. Louis). The motion was seconded by Commissioner Perantoni.

Upon roll call, the vote was as follows:

**Aye:** Commissioner Broemmer, Commissioner Geckeler, Commissioner Grissom, Commissioner Perantoni, Commissioner Schenberg, Commissioner Asmus, Commissioner Banks, Chairman Hirsch

**Nay:** None

**Abstention:** Commissioner Watson

The motion passed by a vote of 8 to 0 with 1 abstention.

- D. **P.Z. 23-2007 Wood Lake Section 3 Children Discovery Learning Center**: A request to create a Conditional Use Permit to add Child Care Center as a permitted use for an approximately 1.00 acre tract of land located at 940 Woods Mill Road, south of the intersection of Woods Mill Road and Olive Boulevard.

Ms. Jennifer Yackley, Project Planner, stated there are no Staff issues. The work being done on the site, as mentioned by the Petitioner, does not require any type of permit from the City. The Petitioner has not done anything inconsistent with the City's ordinances.

**Commissioner Schenbeg** made a motion to approve **P.Z. 23-2007 Wood Lake Section 3 Children Discovery Learning Center**. The motion was seconded by Commissioner Broemmer.

Upon roll call, the vote was as follows:

**Aye:** Commissioner Geckeler, Commissioner Grissom, Commissioner Perantoni, Commissioner Schenberg, Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Chairman Hirsch

**Nay:** None

**Abstention:** Commissioner Watson

The motion passed by a vote of 8 to 0 with 1 abstention.

- E. **P.Z. 25-2007 Montessori Children's House (14000 Ladue)**: A request to amend St. Louis County Conditional Use Permit Number 600 to allow for an increase in the number of students for an approximately 5.00 acre parcel of land located at 14000 Ladue Road, south of Ladue Road and west of Woods Mill Road.

**Commissioner Schenberg** made a motion to approve **P.Z. 25-2007 Montessori Children's House (14000 Ladue)** with the following amendment to Section 7.c. of the Conditional Use Permit #28 with respect to "Landscape Requirements":

Additional landscaping shall be provided adjoining the single-family residences **as directed by Staff**.

The motion was seconded by Commissioner Grissom.

Commissioner Banks expressed his concern about supporting the increase in the number of students allowed. He feels the Commission has a special responsibility for Conditional Use Permits in residential areas and thinks the Commission needs to review any changes proposed – particularly when they relate to size, increased traffic, etc. The requested change is for a one-third increase in student enrollment during the school year, which will increase traffic and noise at the site. He noted that when the request for expansion was approved, it was not mentioned that it would be used for increased enrollment. He stated that neighbors have an expectation of what to expect from an existing business and the request is to change those expectations substantially.

Commissioner Broemmer referred to the comment made by Mr. King regarding when Dr. Dunski moved into his home and stated that he didn't feel it was relevant as to when Dr. Dunski moved. The school is in a residential area and anyone buying in a residential area adjacent to a school wouldn't expect it to be expanding.

**Upon roll call, the vote to approve was as follows:**

**Aye: Commissioner Grissom, Commissioner Perantoni,  
Commissioner Schenberg, Commissioner Asmus,  
Chairman Hirsch**

**Nay: Commissioner Banks, Commissioner Broemmer  
Commissioner Geckeler**

**Abstention: Commissioner Watson**

**The motion passed by a vote of 5 to 3 with 1 abstention.**

**IX. NEW BUSINESS - None**

**X. COMMITTEE REPORTS**

Chair Hirsch reported that the **Ordinance Review Committee** has met and has recommended that the PC&R Ordinance draft be moved on to the Commission, which will be on the July 9<sup>th</sup> agenda. The Committee will be scheduling future meetings to review the Residential Districts and the PC & PI performance standards and uses.



Meetings will be scheduled for the **Architectural Review Committee** dealing with the architectural standards moving into the Uniform Development Code, along with meeting with members of the Architectural Review Board.

## **XI. ADJOURNMENT**

The meeting adjourned at 8:20 p.m.

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Gene Schenberg, Secretary

DRAFT