

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
NOVEMBER 23, 2009**

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

I. ROLL CALL

PRESENT

Mr. David Banks
Ms. Wendy Geckeler
Mr. G. Elliot Grissom
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Michael Watson
Chairman Maurice L. Hirsch, Jr.

ABSENT

Ms. Lu Perantoni

Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Mr. Mike Geisel, Director of Planning & Public Works
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Mara Perry, Senior Planner
Ms. Susan Mueller, Principal Engineer
Mr. Justin Wyse, Project Planner
Ms. Sarah Cantlon, Community Services & Economic Development Specialist
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Councilmember Connie Fults, Council Liaison; and Councilmember Mike Casey, Ward III.

IV. PUBLIC HEARINGS – None

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the November 9, 2009 Planning Commission Meeting. The motion was seconded by Commissioner Puyear and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT

A. 508 Redondo Drive (Claymont Estates Subdivision)

Speakers in Favor:

1. Mr. Jack Runk, 519 Redondo, Chesterfield, MO stated the following:
 - He wants to see improvements made in the neighborhood as the homes are older and he feels the proposed carriage house will improve and benefit the neighborhood.
 - He lives just down the street from the Brenners and he does not feel the carriage house will make any unsightly lines or take away from any common ground views.
2. Ms. Joanne Bach, 513 Redondo Drive, Chesterfield, MO stated the following:
 - She wants to see the quality and value of the neighborhood improve and she believes that the proposed carriage house will improve the property value of homes in the entire neighborhood.
 - She has seen the quality of improvements that the Brenners have completed inside their home and she believes that this same quality will continue with the carriage house.
 - She does not want to lose “good, quality, intelligent, respectful and kind neighbors because they have to move to a different area to accommodate their needs.”
3. Ms. Karen Runk, 519 Redondo Drive, Chesterfield, MO stated the following:
 - She is the Block Captain for Redondo Drive and was asked by the Subdivision Trustees to determine how many residents on Redondo are in favor of, or opposed to, the proposed carriage house. A poll of the 21 households shows the following:

➤ Approves	17
➤ Disapproves	2
➤ No Opinion	1

It was noted that one household is dealing with a “serious medical condition and this issue is not on their list”.
 - She welcomes the improvement to the neighborhood. She feels the “Brenners have found a tasteful and expensive way to address the issue of the very small garages” in the neighborhood. A lot of residents “have put up free-standing sheds of lower quality materials than the houses, and of lower quality than what the neighborhood is capable of.”

- She hopes that this will motivate other residents to improve and update their homes and hopes that the current situation with the Brenners will not discourage residents from making the subdivision a better neighborhood.
4. Mr. Kurt Goebel, 609 Claymont Estates Drive, Chesterfield, MO 63017 stated the following:
- The proposed “project has better finished materials than probably 50% of the houses in the neighborhood. It is a three-side brick structure, has Pella windows and cement board siding – and is an improvement to the overall construction quality of the neighborhood.”
 - The homes in the neighborhood are approximately 40 years old and continue to require maintenance, improvements and growth. He feels these are positive things for the health of the subdivision and he would prefer to see this than “static or decline”.
 - He has identified approximately 14 other structures that have been approved, which include fairly large sheds that can accommodate one or two cars, pergolas, and small sheds. Except for the pergolas, all of these are of “inferior construction quality” vs. the proposed carriage house.
5. Mr. Michael Donley, 518 Redondo Drive, Chesterfield, MO stated the following:
- Since he drives by the Brenners’ home every day, he had concerns about how the proposed structure would look. He spoke to the Brenners about his concerns, who then shared their detailed plans with him and “alleviated any concerns that this would be an eyesore or anything other than an improvement to the subdivision.”
 - The 40-year-old homes have garages that are smaller than today’s standards. In order to keep the value of the neighborhood up, they need to “be open to some modernizing efforts” to try to make the houses “as attractive to potential buyers as more modern neighborhoods”. He feels that the ability to put in “handsome, well-built, upscale carriage houses”, will be a benefit in that direction.
6. Mr. Lloyd Brown, 629 Claymont Estates Drive, Chesterfield, MO stated the following:
- He supports the project and is in agreement with previous Speakers.
 - He is a former Trustee of the subdivision, and if this proposal had been brought forth at that time, he would have supported it as a Trustee as well.
7. Ms. Julie Ranostaj, 517 Redondo Drive, Chesterfield, MO stated the following:
- The homes are over 40 years old and “not up to the standards of how people live today”.
 - The Brenners’ home is the only home in the neighborhood that has a brick-paved driveway. Every project that they have done has been to increase the value of their home, which in turn increases the value of the other homes as well.

- Everything the Brenners have done has “been in good taste, has been in keeping with the neighborhood and not contradictory to any of the old world charm of the neighborhood – it has just been an improvement”.

Speakers in Opposition:

1. Mr. Tim Ramberger, 605 Corley Court, Chesterfield, MO stated the following:
 - He is a Trustee of the Brookmont Estates Subdivision of 17 homes, which is just to the south of 508 Redondo.
 - They have concerns knowing that their subdivision indentures do not apply to the subject property because their homes are more directly affected by the proposed structure than other homes. The structure is proposed to be sited right at the entrance to their subdivision.
 - He has received opinions from 16 of the 17 households and 16 have expressed their opposition, “most being strongly opposed”, and one household is neutral.
 - They do not feel that the proposal is “harmonious or compatible” under Ordinance 2298. The proposed structure “is a house-size detached structure, is a four-car garage for storage, and faces the front of Redondo”. Further, as residents enter Brookmont Estates, they will be looking at it.
 - Regarding the ratio of the footprint to the lot size, Speaker noted that 508 Redondo is comparable to the lot sizes in Brookmont Estates. No one in Brookmont Estates “has any outside structures, let alone a house-size garage facing the street”.
 - Brookmont Estates is strongly opposed to the structure.
2. Mr. Chris Goeke, 504 Richley Drive, Chesterfield, MO stated the following:
 - He is a Trustee of Claymont Estates Residents Association.
 - He has been made aware that there has been some confusion regarding the position the Trustees have taken regarding this project. The Trustee who appeared at the last meeting had indicated that the Trustees are neutral. For clarification purposes, Speaker noted that the neutral position was not relative to this project.
 - When the plans were received from the Brenners in late September, the Trustees felt they wanted to be fair and reasonable in regards to the project. It was then decided to get the Block Captains involved and to come up with a process within the subdivision so as to have input from the residents.
 - After meeting with the Block Captains, they rejected the project pursuant to the indentures and met with the Brenners on October 3rd to advise them of their decision and why the project was rejected. This was followed up with a letter.
 - They learned after that point that the Brenners had submitted their plans to the City for approval. The Trustees did not receive notice of this and therefore contacted the City and asked for a vote for reconsideration.
 - As Trustees, they feel this project should be rejected. It was noted that the neighborhood was developed with an open area concept through 52

acres of common ground. The common ground is the concern of the residents who object to the proposal.

- From the approximately 50% of residents who voiced their opinion on the project, it is about a 50-50 split. The residents who oppose it are concerned that it will set a precedent for other projects that could interfere with the open area concept.
- Ordinance 2298 requires that “it be harmonious and compatible with the existing residential dwellings”. In Claymont Estates subdivision, there are no detached garages of any sort and there are no detached structures anywhere near the proportions of this project. In the subdivision, all the garages face the back of the property, which is a unique feature that they would like to preserve.
- They are concerned that the proposed structure may be used as a museum.
- Claymont Estates is opposed to the proposal and asks that it be rejected.

Commissioner Proctor pointed out that “any decision of the Planning Commission does not trump the decision of the Trustees”. Chair Hirsch added that there are two parallel processes regarding the project: (1) how the proposal meets the City’s zoning code; and (2) how the proposal meets the subdivision indentures and how they will be enforced.

3. Mr. Blair Morgan, 500 Corley Drive, Chesterfield, MO stated the following:
 - He is a Trustee of the Brookmont Estates Subdivision.
 - He has a concern that this proposal will set a precedent. This is a large structure and is at the entrance to their subdivision.
 - The majority of the residents (16 out of 17) oppose the project.
 - The design of the project matches the home but relative to a subdivision design, this is well beyond anything that would be found in the neighborhood.
 - The project is out of the sight of most of the Claymont residents but Brookmont residents will see it every time they drive into the neighborhood.
4. Mr. Keith Taylor, 601 Brookmont Lake Court, Chesterfield, MO stated the following:
 - Residents have moved into Brookmont and Claymont because of the large lots and restrictions to what is allowed on the property.
 - He does not feel that they “need a giant garage” in the neighborhood. This type of garage is typically seen on a 4000-6000 square foot house.
5. Mr. Duane Vaughan, 573 Corley Drive, Chesterfield, MO stated the following:
 - His home is immediately south of the proposed structure and pointed out that Brookmont’s indentures do not apply to this structure.
 - He is not opposed to the project architecturally but is opposed to the project on a site plan basis.

- He suggested that the structure be rotated 90 degrees and brought closer to the house, which would preserve the open space of the neighborhood.
6. Mr. Bill Lister, 631 Claymont Estates, Chesterfield, MO stated the following:
- When he bought his home six years ago, he was searching for property with a large lot with a view and Claymont Estates had open sight lines and open space. His property backs to common ground and he felt that the indentures would protect his property from this type of addition.
 - He does not oppose the architectural aspect of the proposed structure; however, he feels it “sets a dangerous precedent” because if placed in other areas of the subdivision, it could block views of the common ground.
 - He is concerned that the structure will be used for storage and when the doors are open, the view will be of storage.

City Attorney Heggie pointed out that the subdivision indentures are completely valid from a legal perspective and are enforceable by the Trustees. Mr. Lister stated that the subdivision would not be able to afford to litigate this issue.

7. Mr. James McCartney, 632 Packford Drive, Chesterfield, MO stated the following:
- He moved to Claymont Estates because of the sidewalks and large lots.
 - He reviewed the Brenners’ plans for “a 46’x30’ detached carriage house, which will house four cars, two boats, a bathhouse for his pool, and the second floor to be a museum for his lights”.
 - He does not approve of this structure as nothing else in the subdivision is anywhere close to its size.
 - He is a Block Captain for his street and every household of 14 opposes it.
8. Ms. Jean Wagner, 506 Redondo Drive, Chesterfield, MO stated the following:
- Her home is next door to the Brenners.
 - She has expressed her concerns to the Brenners about the proposed structure and noted its contradiction with the subdivision indentures.
 - She enjoys the open space of the neighborhood, along with the side and rear-entry garages.
 - She is concerned about the possibility of a four-car garage next door to her.

Petitioners:

1. Ms. Sandra Brenner, 508 Redondo Drive, Chesterfield, MO. Photos were distributed to the Planning Commissioners and copies were on display for the audience to view. Ms. Brenner then stated the following:
- She strongly supports her neighbors having the right to speak just as she feels strongly that they have the right to build a carriage house that will enhance their property and the value of their property.

- She feels the carriage house falls within the codes of Chesterfield as evidenced by the previous unanimous vote of the Planning Commission in favor of it.
- They have been told by a neighboring Realtor who relocates executives that their house, with a new carriage house, would be worth \$100,000 more than the most expensive home in the subdivision.
- They have the support of the Redondo neighbors who either face it or will drive by it.
- The only two opposing neighbors on Redondo are to their east and would not face, or be driving by, the carriage house.
- Addressing the following issues noted in a letter to the City from the resident at 506 Redondo, Speaker stated:
 - The structure will be visible from her property: When she was asked earlier this summer “whether she had noticed the men working on their pool, she claimed she could not see to the west because of the mature trees”.
 - Drainage problem concerns from the carriage house: The carriage house is to be located on the opposite side – on the southwest side of the Brenners’ property - and will not change the drainage on the east side where 506 Redondo is located – in fact the Brenners’ yard raises up just prior to the property at 506 Redondo.
 - No garage entries are visible from the street in the subdivision: From their house and from the street, they are able to see the garage doors on the east at 506 Redondo. They are also able to see the garage doors at 510 Redondo on the west; and the garage doors at 570 Corley in the Brookmont subdivision. However, this is not a problem for the Brenners.
 - The project is in conflict with the indentures: All garages and carports must be attached to the main house unless otherwise approved by the Trustees. Bath houses and other outbuildings shall be permitted if approved by the Trustees. All additions to the outside of the house have to be approved by the Trustees.
- They were told by the Trustees that their project was well-thought out and they needed time to develop criteria before making a final decision.
- Inadequate garages have caused a number of residents to put up “very unsightly sheds”.
- They intend to landscape on all sides and the existing mature trees on the property will help mitigate seeing the carriage house.
- She thanked the Commission for their time.

2. Mr. George J. Brenner, 508 Redondo Drive, Chesterfield, MO stated the following:

- They were told this hearing was to deal with compliance of the proposed carriage house to Chesterfield ordinances. On October 26th, the Planning Commission evaluated this proposal and unanimously approved it.

- Since other concerns and issues have been presented, Speaker stated he would address the following issues:
 - The proposed structure is architecturally similar and compatible with their residence using equal, or better, materials of the same color and style. They will upgrade their residence to match the carriage house.
 - They have one of the larger lots in Claymont Estates and adjoin no common ground. Their south boundary is a hill that is the original ground contour between Claymont Estates and Brookmont subdivisions. This cusp rises above both adjacent properties and partially blocks the view from one to the other.
 - At the east wall of the carriage house, the hill rises almost 11 feet from the floor level and is topped by a 4.5-foot white plastic fence. The roof ridge of the carriage house would rise approximate 12.5 feet above this hill – or 8 feet above the top rail of the fence. The fence line drops to the west and is hidden by a line of trees, including lilacs about 20 feet tall. These trees will screen the carriage house from view on Corley Drive heading north.
 - Along their west boundary, Corley Drive curves to the east putting the carriage house on the inside of the curve. The nearest corner is approximately 67 feet from the curb.
 - Heading south on Corley Drive, one views the three garage doors at 570 Corley head on. Heading north on Corley Drive, one views the street-facing garage at 510 Redondo Drive – thus if one were looking where they were driving, they would only see the carriage house peripherally.
 - He feels the residents of Brookmont would prefer to see an “aesthetically-pleasing carriage house” than their vehicles in the turn-around or a shed.
 - Regarding the concern of street-facing garage doors, Speaker noted that heading east on Redondo, one sees the garage door at 506 Redondo. This door is approximately 67 feet from the curb and visible because of the street curvature. Similarly, heading west on Redondo, one sees the garage door at 510 Redondo, which is a street-facing garage door approximately 78 feet from the curb on Corley and is made visible by the curve of the street. Heading south on Corley Drive, the first thing one sees entering Brookmont is three garage doors at 750 Corley – visible because of street curvature. Within Brookmont, there are two street-facing garage doors at 512 Corley Drive and three street-facing garage doors at 551 Corley Drive. With all these highly-visible garage doors, they fail to see that the two carriage house doors approximately 135 feet from Redondo Drive and obliquely 71 feet from Corley Drive, are intrusive or without precedent.
- Regarding the survey conducted by the Trustees, Speaker noted that it was delegated to the Block Captains. “There was no consistency or uniformity in these surveys.” The residents have called him “with serious misrepresentations” of the proposed carriage house, including:

- “It is 1800 square feet and two stories.
- The bathroom is on the second floor and it will be rented out.
- It is a metal building with corrugated metal roof to be used as a commercial auto repair shop.
- It is not really a carriage house but a railroad caboose on railroad track.”
- Several residents reported that the survey only offered “*Approved*” or “*Disapproved*” – the choice of “*No Opinion*” was not offered. “One surveyor was reported strongly advocating disapproval and extending his survey beyond his block to advocate his position.” It is their opinion that the survey is seriously flawed and biased.
- The intended use of this carriage house does not include a museum but is intended to occupy four automobiles, including two historic vehicles, two boats, a change house for the pool, and storage in the attic. They are retired and have no commercial intentions.
- They look forward to working with the Trustees to reach a design that everyone can live with and they ask the Commission to re-affirm their unanimous approval of the carriage house.

B. P.Z. 04-2009 13506 Olive Blvd (Spirit Energy) and P.Z. 13-2009 Spirit Town Center (Greenberg Development)

Petitioner:

Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO.

Regarding P.Z. 04-2009, Mr. Doster stated that there will be a separate vote on the request to modify the open space requirement. The Petitioner’s justification for the request was presented at the Public Hearing but he is available for any questions. As noted in Mr. Wyse’s Staff Report, of the six properties that were reviewed, this project, if approved, would have the highest open space requirement. Four of the six reviewed properties have no open space requirement at all.

Regarding both P.Z. 04-2009 and P.Z. 13-2009, Mr. Doster stated that the Attachment A’s for both of these proposals include a provision that states that if the time requirements are not met for filing the plan and a time extension is not granted, the zoning expires. They believe this requirement is contrary to State law. They prefer the City’s previous procedure which required a Public Hearing on the proposed plan if the deadline was not met. He noted that these comments are for the record only and that he does not expect the Commission to act on the matter this evening.

C. P.Z. 14-2009 Chesterfield Fence (Chesterfield Fence and Deck Company)

Petitioner:

Mr. George M. Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated that there were five issues raised at the November 9th Public Hearing. They have responded to the issues by letter dated November 16th, which they feel they adequately addressed.

Regarding the requirement for 35% open space and their request for 30%, it is their understanding that a waiver is required and needs two-thirds of the Planning Commission for approval. They have studied the ordinance that was created within the last year relative to open space and they are offering a “public realm plan” to address the additional issues allowed under site design. The public realm plan would create “something different on this 5.2 acre tract that would accommodate future development of the northern half.” The plan is comprised of four components which will incorporate “a meandering sidewalk of which would have two park benches, a gazebo, and potentially a water feature”. This would create a different character along the front of the development.

There are two objectives:

- To lease the southern half of the property to Erosion Drainage Products.
- There is a probability that they would subdivide the land into two lots, which would accommodate 30% open space and provide the public realm along Olive Street Road to enhance the development and make it unique.

D. P.Z. 13-2009 Spirit Town Center (Greenberg Development)

Petitioner:

Mr. George M. Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. 508 Redondo Drive (Claymont Estates Subdivision):** A request for a detached residential addition behind an existing home on the west side of the lot zoned "R1" Residential District, located at 508 Redondo Drive in the Claymont Estates Subdivision.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the detached residential addition for 508 Redondo Drive (Claymont Estates Subdivision). The motion was seconded by Chair Hirsch

DISCUSSION ON THE MOTION

Commissioner Proctor stated that according to Ordinance No. 2298, one of the requirements is that *residential additions shall be harmonious and compatible with the existing residential dwelling*. The Commission has gotten input from a number of sources, both pro and con, with regard to the proposed addition and since this is “basically a judgment call on the part of the Planning Commission”, he is concerned about it.

The motion to approve **failed** by a voice vote of 3 to 5 with Commissioners Banks, Geckeler, Nolan, Proctor and Puyear voting “no”.

- B. 69 River Valley Drive (River Bend Estates Subdivision):** A request for a residential addition behind an existing home on the north side of the lot zoned "R1" Residential District, located at 69 River Valley Drive in the River Bend Estates Subdivision.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the residential addition for **69 River Valley Drive (River Bend Estates Subdivision)**. The motion was seconded by Commissioner Geckeler and **passed** by a voice vote of 8 to 0.

- C. 1215 Walnut Hill Farm Dr. (Walnut Hill Farms Subdivision):** A request for a residential addition to the western side of an existing home zoned “NU” Non-Urban District and located at 1215 Walnut Hill Farm Dr., in the Walnut Hill Farms Subdivision.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the residential addition for **1215 Walnut Hill Farm Dr. (Walnut Hill Farms Subdivision)**. The motion was seconded by Commissioner Geckeler and **passed** by a voice vote of 8 to 0.

- D. Stallone Pointe (15400 Conway Road):** Site Development Plan, Landscape Plan, Lighting Plan, and Architectural Elevations, for a 0.68 acre tract of land, zoned "PC" Planned Commercial District located on the south side of Conway Road, west of the Chesterfield Parkway and Conway Road intersection (18S220050).

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Site Development Plan, Landscape Plan, Lighting Plan and Architectural Elevations, for **Stallone Pointe (15400 Conway Road)**. The motion was seconded by Commissioner Nolan and **passed** by a voice vote of 8 to 0.

- E. **The Reserve at Chesterfield Village (Phase One)**: Amended Site Development Section Plan and Amended Architectural Elevations for a 28.13 acre lot of land zoned R-5 and R-8 Residence District with a “PEU” Planned Environment Unit located at Baxter Road south of the intersection with Wild Horse Creek Road.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Section Plan and Amended Architectural Elevations for **The Reserve at Chesterfield Village (Phase One)**. The motion was seconded by **Commissioner Banks** and **passed by a voice vote of 8 to 0.**

VIII. OLD BUSINESS

- A. **P.Z. 04-2009 13506 Olive Blvd (Spirit Energy)**: A request for a change of zoning from a “C2” Commercial District to a “PC” Planned Commercial District for a .31 acre tract of land located at 13506 Olive Blvd at the southwest corner of Olive Blvd and Woods Mill Road (Locator Number 16Q330902).

Project Planner Justin Wyse stated this petition came in prior to the passage of Ordinance 2527, which repealed and replaced the existing Planned Commercial District’s regulations. The Public Hearing on this petition was held on July 13, 2009 at which time several issues were raised by the Commission. Those issues, as well as the Petitioner’s response, have been included in the meeting packet.

A modification of the open space requirement of 40% to 17.47% has been requested, which will require a separate vote of the Planning Commission with two-thirds of the Commission voting in favor of it for approval.

It was noted that the site is currently governed under St. Louis County Conditional Use Permit No. 17, which allows for a filling station. This is the only use allowed under the Conditional Use Permit

Commissioner Puyear made a motion to modify the open space requirement to 17.47%. The motion was seconded by **Commissioner Watson**.

Upon roll call, the vote was as follows:

**Aye: Commissioner Watson, Commissioner Banks,
Commissioner Geckeler, Commissioner Grissom,
Commissioner Nolan, Commissioner Proctor,
Commissioner Puyear, Chairman Hirsch**

Nay: None

The motion passed by a vote of 8 to 0.

Commissioner Watson made a motion to approve **P.Z. 04-2009 13506 Olive Blvd (Spirit Energy)**, as amended. The motion was seconded by Commissioner Puyear.

Upon roll call, the vote was as follows:

Aye: Commissioner Banks, Commissioner Geckeler,
Commissioner Grissom, Commissioner Nolan,
Commissioner Proctor, Commissioner Puyear,
Commissioner Watson, Chairman Hirsch

Nay: None

The motion **passed** by a vote of 8 to 0.

- B. P.Z. 13-2009 Spirit Town Center (Greenberg Development):** A request for an amendment to City of Chesterfield Ordinance 2330 to modify the Floor Area and Building Requirements and Setbacks for a 7.8 acre parcel of land zoned "PC" Planned Commercial District located on Chesterfield Airport Road on the southwest corner of its intersection with Goddard Avenue. (17V230055)

Ms. Mara Perry, Senior Planner, stated that the Public Hearing was held on October 26th at which time there was one outstanding issue from the Planning Commission in regards to the front setback from Chesterfield Airport Road - question was raised as to what the subdivisions on either side had as setbacks. Those setbacks are 30 feet and match what the Petitioner is requesting. All Agency comments have been addressed.

Commissioner Nolan made a motion to approve **P.Z. 13-2009 Spirit Town Center (Greenberg Development)**. The motion was seconded by Commissioner Grissom.

Upon roll call, the vote was as follows:

Aye: Commissioner Geckeler, Commissioner Grissom,
Commissioner Nolan, Commissioner Proctor,
Commissioner Puyear, Commissioner Watson,
Commissioner Banks, Chairman Hirsch

Nay: None

The motion **passed** by a vote of 8 to 0.

- C. **P.Z. 14-2009 Chesterfield Fence (Chesterfield Fence and Deck Company)**: A request for a change of zoning from a “M-3” Planned Industrial District to a “PI” Planned Industrial District for a 5.2 acre tract of land located at 18614 Olive Street Road, located 4,100 feet west of the intersection of Olive Street Road and Chesterfield Airport Road (Locator Number 17W510093).

Project Planner Justin Wyse stated that the Public Hearing was held on this petition on November 9th at which time the Petitioner asked that the project be held in order for them to address the issues raised. The response to the issues has been included in the meeting packet and includes the Petitioner’s outline of proposed design features that would be included to mitigate the reduced open space request. The Preliminary Plan differs from the previous Plan that was submitted in that it now includes a potential future development site on the northern half of the lot.

A separate vote on the open space reduction is required with two-thirds of the Commission voting in favor of it for approval.

Staff has checked with the Spirit of St. Louis Airport regarding the proposed water feature and the Airport has no objections at this time. They do ask that it be submitted to them for review and approval.

Commissioner Grissom made a motion to approve the reduction of open space to 30%. The motion was seconded by Commissioner Nolan.

Upon roll call, the vote was as follows:

**Aye: Commissioner Grissom, Commissioner Nolan,
Commissioner Proctor, Commissioner Puyear,
Commissioner Watson, Commissioner Geckeler,
Chairman Hirsch**

Nay: Commissioner Banks

The motion passed by a vote of 7 to 1.

Commissioner Watson made a motion to approve **P.Z. 14-2009 Chesterfield Fence (Chesterfield Fence and Deck Company)** to include the modification to the open space requirement, along with the following amendments to the Attachment A:

- Page 4, Section E: Landscape and Tree Requirements, add:
 2. A landscaped berm shall be provided along the frontage of Olive Street Road to provide a buffer between the development and the roadway.

- Page 6, Section J: Public/Private Road Improvements, Including Pedestrian Circulation, add:
 5. A meandering sidewalk, which shall include no less than two (2) benches, shall be provided alongside the required landscape berm.
 6. A 12'x12' gazebo to provide a pedestrian common area alongside the previously mentioned meandering sidewalk.
 7. A small water feature to compliment the gazebo, subject to approval of the Spirit of St. Louis Airport shall be provided.

The motion was seconded by Commissioner Proctor.

Upon roll call, the vote was as follows:

**Aye: Commissioner Nolan, Commissioner Proctor,
Commissioner Puyear, Commissioner Watson,
Commissioner Banks, Commissioner Geckeler,
Commissioner Grissom, Chairman Hirsch**

Nay: None

The motion, as amended, passed by a vote of 8 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:05 p.m.

Michael Watson, Secretary