

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 29, 2013**

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

I. ROLL CALL

PRESENT

ABSENT

Ms. Wendy Geckeler
Ms. Laura Lueking
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Steven Wuennenberg
Chair Michael Watson

Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. John Boyer, Senior Planner
Ms. Purvi Patel, Project Planner
Ms. Kim Streicher, Civil Engineer
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

Chair Watson acknowledged the attendance of Councilmember Connie Fults, Council Liaison.

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

- A. **P.Z. 1-2013 Arbors at Kehrs Mill (17015 Church Rd.):** A request for a zoning map amendment from “E-2” Estate Residence District (two acre) and “LLR” Large Lot Residential District to “E-1” Estate District (one acre) for 41.082 acres located north of the intersection of Church Rd. and Strecker Rd. (19U420248).

AND

- B. **P.Z. 2-2013 Arbors at Kehrs Mill (17015 Church Rd.):** A request for a zoning map amendment from “E-1” Estate District (one acre) to “PUD” Planned Unit Development for 58.149 acres located north of the intersection of Church Rd. and Strecker Rd. (19U420248).

STAFF PRESENTATION:

Mr. John Boyer, Senior Planner gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Boyer stated the following:

- All Public Hearing notification requirements per State statute and City requirements have been met.
- Site History: The site was originally zoned “NU” Non-Urban District under St. Louis County. In 1998, the site was rezoned to “LLR” Large-Lot Residential under Ordinance 1472. In 2006, the site was rezoned to include “E-2” Estate Two Acre Residential (40 acres) and “E-1” Estate One Acre Residential (17 acres) with a small portion on the eastern edge of the site remaining “LLR” (1/2 acre). Ordinance 2322 is the current governing ordinance for the site.
- Requested Permitted Use: Single-family Residential Detached
- The site is primarily surrounded by “NU” zoning with some “R1” zoning to the east, and E-1/2AC to the west. The site is adjacent to Clarkson Valley and Wildwood with Wildwood having 1-3 acre zoning.
- Preliminary Plan: There are 44 units proposed for the site with two access points – one on Kehrs Mill on the east side of the site; and one on Church Road on the west side of the site. The Preliminary Plan shows most of the site being surrounded by common ground. Within some of the common ground areas are planned detention areas. The total open space for the project is 35%; the Planned Unit Development requires a minimum of 30% open space.
- Buffers: The Planned Unit Development requires 30-foot buffers along the borders of the site. The eastern side of the site shows a 50-foot landscaped common ground area; common ground is also shown on the northeast side of the site; on the far northern portion of the site is a planned 30-foot easement; the western and southern portions of the site are bounded by common ground approximately 30-50 feet wide.
- Detention Areas: Detention is planned for the site in four locations with a discharge point for three of the detention areas into the creek south of the site. The creek is not part of the subject development and would be inspected by the City as an improvement during the Site Plan process.
- The Comprehensive Land Use Plan designates the site as *Residential* under the one-acre density classification.

- Items for Consideration:
 - Proposed Density – is it appropriate for this location?
 - Number of Lots – the Petitioners are proposing 44 units over 58 acres which is 0.75 units/acre, which meets the requirements of the Comprehensive Plan.
 - Proposed Setbacks:
 - 25 ft. front
 - 10 ft. side (E-1 requires a 25-foot minimum side setback).
 - 25 ft. rear
- Items under Review:
 1. Storm Water
 2. Future Road Improvements
 3. Floodplain
 4. Grades (Street and building area)
 5. Easements of Access
 6. Agency Comments
 7. Adjoining Jurisdiction Coordination pertaining to both County and City of Wildwood roads
 8. Tree Stand Delineation

Discussion

Commissioner Geckeler asked for confirmation that the E-1 zoning requires 25-foot side yard setbacks. Mr. Boyer confirmed that as a straight zoning district, the E-1 District requires 25-foot side yard setbacks and the Petitioners are proposing 10-foot side yard setbacks associated with the PUD process.

Ms. Aimee Nassif, Planning & Development Services Director then addressed the audience and explained the zoning and site plan processes. After tonight's Public Hearing, a letter will be sent to the Petitioners outlining issues that need to be addressed. The Planning Commission will then conduct an Issue Meetings where the issues are addressed. The final meeting by Planning Commission is a Vote Meeting on the petition. The Issues Meeting and Vote Meeting have not yet been scheduled. After the Vote Meeting, the petition moves forward to the Planning & Public Works Committee with the Planning Commission's recommendation. From the Committee, it moves forward to City Council for two more meetings on the rezoning request.

The Site Plan process is a separate process from the zoning process. Once the zoning is in place, the Site Plan process starts where details are presented through Lighting Plans, Landscape Plans, Architectural Plans, etc.

PETITIONER'S PRESENTATION:

Ms. Jeanie Aumiller, Employee-Owner of McBride & Son Homes, 16091 Swingley Ridge Road, Chesterfield, MO introduced various members of the joint-venture team who were available for questions. She then gave a brief history of McBride & Son Homes noting the following projects in Chesterfield completed by McBride – Arbors at Wild Horse, Kendall Bluff, Paddington Hill, and Brunhaven.

Ms. Aumiller stated that they have been working on the subject development for the past eight months and have considered the following points since the onset of the project:

1. Consistency with surrounding land uses

2. Preservation of natural resources – particularly the existing tree canopy
3. Design of a community worthy of a luxurious project

Consistency with surrounding land uses: Ms. Aumiller stated that the density being proposed for the site is 44 units on 58 acres – less than one unit/acre. Some of the densities in the area are one-acre with lot sizes that go down to 22,000 sq. ft. Other densities in the area exceed that and have larger lots but there are several subdivisions in the area zoned “R-1” in Chesterfield and nearby jurisdictions which have one-acre density containing lot sizes that are ½ acre. The newer developments in the area are predominantly one-acre density. They feel that the E-1 zoning works for this market in this area with one-acre density with all lots in excess of 22,000 sq. ft.

Preservation of natural resources: Ms. Aumiller stated that they plan to have less impact on the property than the existing approved plan for the site. They plan to preserve the existing tree canopy and some of the existing buffers.

E-1 PUD Zoning: Ms. Aumiller stated that the proposed zoning is consistent with the other “R-1” PUD zonings in the area and conforms to the single-family designation established by the City’s Comprehensive Plan. They are proposing a “cluster development”, which is necessary in order to preserve the natural resources on the site.

PUD Design Features: Ms. Aumiller noted that the City’s code includes several features that are identified as *PUD Design Features*, which include enhanced tree preservation buffers; bigger, deeper buffers; preservation of mature trees; greenways; more open space; and energy-efficient design, which are all proposed for this development.

Existing Site Plan: Ms. Aumiller then presented the existing Site Plan approved for the site, which shows the lot lines extending all the way to the exterior boundaries of the site. This would allow homeowners to remove trees all the way to the northern property line to Pacland, and all the way to Strecker Road and Church Road. They feel it is important to preserve the trees for both the surrounding residents and future residents of the development.

Proposed Site Plan: Ms. Aumiller presented the proposed Site Plan, which shows the northern lot line stopping at least 100 feet from the property line, which will be a preservation area where trees will not be allowed to be removed. The large trees north of the school will be preserved as part of the common ground area. The key features of the proposed Site Plan are:

- Density is less than one acre
- Large buffer areas
- Heavily landscaped entrance
- 44 large wooded lots on 58 acres
- All lots exceed 22,000 sq. ft.
- Average lot size is in excess of 30,000 sq. ft.
- 43% tree preservation - 13% over the City’s minimum requirement of 30%
- 20.6 acres of common ground on a 58-acre site, owned/maintained by the HOA
- Enhanced water quality features
- Illuminated entrance monument with heavy landscaping
- Significant amount of landscaping

Proposed Product: Ms. Aumiller stated that they anticipate two builders for the development – McBride & Son Homes and Wes Burn. McBride plans to build the same product that was built in Wild Horse, which is a very luxurious product line with many upgraded features, minimum three-car side-entry garages, and Hardie-board siding. Many of the McBride homes will also incorporate environmental upgrades.

Meetings: Ms. Aumiller stated that they have met with a lot of the Trustees, owners, and neighbors regarding the proposed development, which she feels has been very productive. There have also been meetings with representatives from Pacland regarding the 12 acres of the subject site that are encumbered by Pacland's covenants, conditions, and restrictions. She went on to say that she had a discussion with some of the Pacland representatives just prior to tonight's meeting and she believes that they have reached an agreement so a slightly-modified plan may be coming forward.

Discussion

Commissioner Nolan asked for clarification on the homebuilders involved in the project as the Narrative Statement from McBride & Son Homes indicates that Simon Homes and Fischer & Frichtel Homes will be constructing homes. Ms. Aumiller noted that the Narrative Statement was submitted to the City in January –those two homebuilders are no longer participating in the project; McBride and Mr. Burns are now participating in the project.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:

1. Mr. John Gazzoli, representing the Pacland Place Trustees, 16916 Pacland Ridge Drive, Chesterfield, MO stated the following
 - They are opposed to this plan and to any small-lot, non-custom home development on the subject site.
 - They are concerned that the proposed development would adversely affect their property values and the property values of the surrounding area.
 - The Petitioner's presentation showed a development with the average lot being less than three-quarters of an acre and some lots being one-half acre. Speaker does not believe there is another half-acre lot within a one mile radius of his house other than the Wild Horse development by McBride.
 - They are opposed to the proposed development and were opposed to the Simon development that was approved several years ago.
 - They believe the subject site should be zoned "LLR" as it was in 1998.
 - The surrounding lots around the valley are not small lots. They do not think that the proposed development is "smart for the area, smart for Chesterfield, and certainly not smart for their property values in Pacland Place."
 - There are 12 acres of Pacland Place within the subject 58 acres, which are subject to Pacland's indentures. Pacland Place has a minimum three-acre building size for the lots, 4,000 sq. ft., architectural control, along with many other restrictions which adds value to their property.
 - He urges the Commission to keep in mind that half-acre lots surrounded by three-acre and larger lots are incompatible. They feel that the subject site should be preserved for large lots.
 - He urges the Commission to reject any additional small-lot development in that valley.

Discussion

Chair Watson asked for confirmation that Mr. Gazzoli had opposed the earlier Simon development. Mr. Gazzoli replied that he did oppose it and argued at that time that it was a serious mistake to change the “LLR” zoning and he feels it is still a mistake.

Commissioner Wuennenberg pointed out that the site is currently zoned “E-1”, “E-2” and “LLR”. Mr. Gazzoli thinks the current zoning is a mistake and intends to speak to City Attorney Heggie about it. They feel that when the Simon plan fell apart, the “LLR” zoning should have been re-instated and if the Commission rejects this zoning request, it should revert to “LLR”.

2. Ms. Doris Frazier, representing the Westland Acres community, 17077 Church Road, Chesterfield, MO stated the following:
 - She has been in the area for over 60 years and lives in the Westland Acres community.
 - They are not against progress but they are concerned that there is development all around Westland Acres and no one ever includes the 100+ acres of Westland Acres for development.
 - They want to be included in some of the development and this was made very clear to McBride & Son Homes when she attended their open house. They hope that their property on Church Road will one day be considered for development.
3. Mr. Bruce Kondracki, representing The Highlands, 17415 Highland Way Drive, Wildwood, MO stated the following:
 - Their property backs to Church Road and their major objection to the plan relates to the access point on Church Road. They understand that this will require a widening of Church Road and some taking of easement space on the Wild Horse side.
 - They understand that the Fire Department requires a second entry but they believe the plan should include access to Strecker Road instead of Church Road, which would eliminate the need for widening Church Road.
 - They also have concerns with water issues and additional traffic being generated onto Church Road.
 - They have not been contacted by McBride & Son Homes regarding their proposed development and were not aware of it until they received the postcard from the City announcing the public hearing.

Discussion

Ms. Nassif asked Mr. Kondracki if his property is north of the proposed access point on Church Road. Mr. Kondracki replied that his property is very near to the proposed access but is toward Strecker Road. Ms. Nassif then informed him that because an access is being proposed on Church Road, the City will be requiring street improvements to Church Road. She noted that Church Road runs through both Chesterfield and Wildwood and homes are already built on the Wildwood side of Church Road. The City will be working with the developer to keep all improvements made within the City of Chesterfield limits, further away from the existing homes in The Highlands.

Chair Watson stated that at the previous Work Session, Commission Nolan also voiced her concerns about traffic.

Mr. Kondracki repeated his belief that access should be from Strecker Road instead of Church Road.

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

In addition to the issues outlined in his earlier presentation, Mr. Boyer noted the following issues raised during Public Hearing:

1. Small lot size
2. Non-custom homes
3. Access

Commissioner Lueking requested a link to the current entitlements approved as part of the Tuscany Reserve development.

Ms. Nassif informed the audience that the City's website will be updated as to when this project will be back before the Commission – it is anticipated that the next meeting will be towards the end of June or early July. Mr. Boyer may also be contacted for any updates on the project.

- C. P.Z. 11-2013 346 N Eatherton Rd:** A request for a zoning map amendment from “NU” Non-Urban District to “PI” Planned Industrial District for a 3.043 acre tract of land located approximately 550 feet southeast of the intersection of Wings Corporate Drive and North Eatherton Road (18W430024).

STAFF PRESENTATION:

Ms. Purvi Patel, Project Planner stated the following:

- The purpose of the request is to allow for the property to be used as a landscape business.
- All State and local Public Hearing notification requirements have been met.
- The site was zoned “NU” Non-Urban District prior to the incorporation of the City of Chesterfield. The site includes a one-story brick residential structure and a one-story metal structure. The site is currently vacant but the previous use was a single-family residence.
- Requested Permitted Uses:
 1. Cultivation and sale of plant crops, commercial vegetable and flower gardening, as well as plant nurseries and greenhouses
 2. Office, General
 3. Warehouse, General
 4. Yard for storage of contractors' equipment, materials and supplies
- The properties to the south and east of the site are zoned “NU” with Spirit of St. Louis Airpark to the east of the site. Approximately 500 feet north of the site is Precision Irrigation zoned “PI” and ½ mile to the south is a landscaping business also zoned “PI”.
- The Comprehensive Land Use Plan designates the site as *Low Intensity Industrial* which is defined as activities in which *primary use of the land and*

building will include manufacturing, fabrication, assembly, processing, distribution, warehousing, and/or storage. The proposed uses are compatible with the Comprehensive Plan.

- The Preliminary Plan shows the existing structures on the site, as well as the existing access to the site off of North Eatherton Road. There are no changes to these proposed at this time.
- The Petitioner will be enlarging the concrete area to the east of the metal building for equipment storage. Staff will work with the Petitioner to insure the outside storage areas are properly screened and will include such language in the Attachment A.
- Items Under Review by Staff:
 1. Awaiting agency comments
 2. Awaiting City of Wildwood comments

Discussion

Commissioner Geckeler asked for information about the airplane propeller noted on the Preliminary Plan. Ms. Patel informed her that it has been on the site for quite some time and the surveyor included it on the Preliminary Plan. It will not be removed from the site.

PETITIONER'S PRESENTATION:

Mr. John Denninger, 5777 Westwood Drive, Weldon Spring, MO stated the following:

- They run a family-owned and operated landscaping company. After growing out of their previous Chesterfield location, they moved to Weldon Spring.
- They feel the subject site is an ideal location for their business with an existing structure that can be used for a warehouse and office.
- They will be making only minor modifications to the property – expanding the parking area behind the metal building and installing a fence to reduce visibility of their equipment and to increase security.
- They also intend to make landscaping enhancements to the property.

Discussion

City Attorney Heggie asked Mr. Denninger if he had spoken to Enbridge Energy about paving over their easement. Mr. Denninger replied that Enbridge Energy was contacted a couple of months ago but he is not sure of the status at this time. Ms. Nassif pointed out that the site plan will not be approved until the authorization is received from Enbridge.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

Commissioner Nolan read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING SUMMARY

Commissioner Nolan made a motion to approve the Meeting Summary of the May 13, 2013 Planning Commission Meeting. The motion was seconded by Commissioner Puyear and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. Chesterfield Blue Valley:** A request for an Amended Sign Package for Lots 1, 3, 4, and 5 of the Chesterfield Blue Valley development to modify the permitted construction timeframe for one (1) previously approved specialty monument sign.

Commissioner Nolan reported that the Amended Sign Package was withdrawn by the Petitioner prior to the meeting.

- B. Spirit Valley Business Park, Lot 1A (Pets and Company):** A Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations and an Architect's Statement of Design for a 1.502 acre tract of land zoned "PI" Planned Industrial District located on the west side of Spirit Valley Central Drive, south of Olive Street Road.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations, and Architect's Statement of Design for Spirit Valley Business Park, Lot 1A (Pets and Company). The motion was seconded by Commissioner Midgley and **passed by a voice vote of 8 to 0.**

VIII. OLD BUSINESS - None

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS

Commissioner Puyear reported that the Nominating Committee recommends the following slate of officers for 2013-2014:

Chair: Mike Watson
Vice-Chair: Stanley Proctor
Secretary: Steve Wuennenberg

It was noted that the Commission would vote on the slate of officers at its next meeting.

XI. ADJOURNMENT

The meeting adjourned at 8:07 p.m.

Stanley Proctor, Vice-Chair