

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JULY 10, 2006**

The meeting was called to order at 7:08 p.m.

I. PRESENT

ABSENT

Mr. David Asmus
Mr. David Banks
Mr. Fred Broemmer
Ms. Wendy Geckeler
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Tom Sandifer
Ms. Victoria Sherman
Chairman Maurice L. Hirsch, Jr.

Mayor John Nations
Councilmember Mary Brown, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Ms. Libbey Simpson, Assistant City Administrator for Economic
& Community Development
Ms. Teresa Price, 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
Mr. Charles Campo, Project Planner
Mr. Jarvis Myers, Project Planner
Ms. Mary Ann Madden, Planning Assistant

Chair Hirsch acknowledged the attendance of Mayor Nations; Councilmember Mary Brown, Council Liaison; Councilmember Bruce Geiger, Ward II; Councilmember Mike Casey, Ward III; and City Administrator Mike Herring.

II. INVOCATION: Commissioner Banks

III. PLEDGE OF ALLEGIANCE – All

PUBLIC HEARINGS – Commissioner O'Connor read the “Opening Comments” for the Public Hearings.

- A. **P.Z. 15-2006 Wild Horse Creek Road Office (Larry Mintz)**: A request for a change of zoning from “NU” Non-Urban to “PC” Planned Commercial District for a 1.47 acre tract of land located north of Wild Horse Creek Road and West of Long Road. (18V610074, 18V610085). Proposed use: Office.

Ms. Aimee Nassif, Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Nassif stated the following:

- The Land Use Plan calls for “Neighborhood Office” for the subject site.
- The Public Hearing Notice was posted on June 21, 2006.
- The existing home, along with the garage, shed and swimming pool, will remain on the site.
- The development will include a new driveway and parking spaces to accommodate the office.
- The submitted Preliminary Plan shows a 35-foot side yard setback. This setback is only required for retail developments. For Planned Commercial Office developments the side yard setbacks are established with the footprint of the building on the Preliminary Plan.
- Items currently under review:
 - Landscape buffering between non-residential and residential parcels as required in the Tree Manual.
 - Building setbacks to be corrected on Preliminary Plan to reflect location of existing building.

PETITIONER’S PRESENTATION:

1. Mr. Larry Mintz, 243 Fick Farm Road, Chesterfield, MO stated the following:
- He purchased the property six months ago from Mr. Don Bowers. At that time, he understood that the property was in the “Neighborhood Office” area.
 - He intends to use the existing structure as an office and does not intend to change the structure.
 - He intends to keep the structure residential looking and very low-keyed. The company only employs 2-3 people.
 - His home is on the west side of the airport runway, which experiences moderate airport noise. The subject site is on the east side of the airport runway, which experiences heavy airport noise – five to six times greater than the noise experienced at his home.
 - The subject site would not be conducive for residential usage.

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

- **Regarding plans for the swimming pool:** The pool will not be used. It is currently drained and covered.

2. Mr. Marty Henson, Civil Engineer, gave a PowerPoint presentation and stated the following:
- The site is surrounded by Mr. Bowers' property to the east; across the road is a farm field owned by Wild Horse Creek Farms Investment; the closest residential properties to the subject site are to the east with the Windridge Estates subdivision; the Full Gospel Church is to the west; and to the north is the Landings at Spirit Golf Club.
 - He is in receipt of letters from Mr. Bowers supporting the project and from Mrs. Bayer, the adjoining property owner to the west, stating she has no objections to the project. Copies of the letters have been given to the Planning Staff.
 - The site is comprised of approximately 1.47 acres. Current zoning is "Non-Urban"; they are proposing to change the zoning to "Planned Commercial" District to allow office use.
 - The recently-amended Comprehensive Plan recommends the area as "Neighborhood Office".
 - The site is heavily landscaped with trees. There is significant topography along the back of the site – about a 50-foot elevation difference from where the house sits at the edge of the ridge to the valley floor.
 - Green and open Space is currently 85.1% of the overall site. They propose removing a total of eight trees in order to relocate the driveway, which would reduce the green space to 77.1%. The minimum allowed in the PC district is 45%.
 - The Floor Area Ratio is 3%; the maximum allowed in the PC district is 55%.
 - The current Non-Urban zoning requires a 50-foot setback on the front yard and 20-foot setbacks on the side and rear. The existing setback from the existing house is 111 feet from the front setback.
 - The Tree Stand Delineation identifies the size, the species, and the condition of 40 trees located in the front and side yards. It is estimated that the .38-acre woodlands contains approximately 200 trees per acre ranging in diameter from 3" to 30". No significant or rare and endangered trees were found.
 - The proposed improvements to the site include relocating the driveway to provide the width necessary to conform to City requirements, to accommodate the Fire District's equipment, and to preserve the prominent shade trees.
 - An asphalt parking area will be constructed to accommodate nine cars and one loading space.
 - As instructed by MoDOT, some overgrown shrubs, located in the State's right-of-way, would be removed in order to meet sight distance requirements.
 - They will provide eight burning bushes along the east side of the driveway to buffer the proposed parking lot. With the exception of eight trees, all the trees on the site will be retained. The proposed use of the property significantly exceeds the City's tree preservation standards.

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

- **Regarding signage:** Smaller signage for the site would be considered.
- **Regarding removal of the pool:** This would be discussed with the owner. Presently the pool has a cover over it.
- **Regarding cross access to the adjacent properties:** Cross access has not been envisioned at this time.
- **Regarding shared access:** The way the parking is located on the east side of the site, access could be shared to the balance of Mr. Bowers' property but would not be feasible for the parcels to the west.
- **Regarding parking:** The nine parking spaces are being proposed based on the ratio of 4/1000 as stipulated in the PC zoning district. They would be agreeable to reducing the number of parking spaces.
- **Regarding light standards:** The parking lot would probably be illuminated with one pole.

SPEAKERS IN FAVOR:

1. Mr. Charles Hahn, 18511 Wild Horse Creek Road, Chesterfield, MO stated the following:
 - He is in favor of the proposed petition.
 - The property in the subject area is not conducive for residential development because of the proximity of the airport; the property is more conducive for small office use.
2. Mr. Bob Meyer, 17673 Wild Horse Creek Road, Chesterfield, MO stated the following:
 - He is in favor of the rezoning.
3. Mr. Hugh Kinney, 17549 Wild Horse Creek Road, Chesterfield, MO stated the following:
 - He is in favor of the proposal.
 - He is the superintendent of schools in a neighboring school district and noted that commercial development is good for school districts.
4. Mr. Don Bowers, 323 Lake View Drive, Washington, MO stated the following:
 - He is representing his property at 17525 & 17529 Wild Horse Creek Road and the Bayer family at 17537 Wild Horse Creek Road.
 - Responding to questions raised earlier:
 - The cover on the existing pool is a safety cover.
 - There is no easement to the east on the adjacent driveways. It is specifically precluded by contract.
 - The properties in this area have the highest noise level from the airport. He has measured decibels as high as 100.
 - He has reviewed the drawings and supports the project.

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL:

1. Mr. Mintz stated the following:
 - He is agreeable to reducing the size of the sign.

ISSUES:

1. Possible parking space reduction from the current required nine spaces. Possible phantom parking.
2. Petitioner is to add notes on the Preliminary Plan indicating the location, height and number of light poles and light fixtures for the site.
3. Review cross access.
4. Will this lot be affected by the internal road? Chair Hirsch stated that the conceptual internal road would be quite a bit to the west of the subject site.
5. Review the safety issues regarding the existing pool on the site. Ms. Nassif stated that St. Louis County handles building code requirements for pools. She noted that there is a fence around the back of the site. The pool has been drained and is covered with a safety cover.
6. Has the swimming pool cover been inspected and is the fencing up to current codes?
7. If the building needs to be replaced, would it stay at the same square footage? Ms. Nassif stated that a Site Plan would be done after the rezoning which would show the exact square footage. The Attachment A will be site specific with respect to structure setbacks that will show where the footprint of the building will be on the lot.
8. Review the future use of the pool. Consider removing the pool if not to be used.

- B. P.Z. 16-2006 Conway Point Office Building (Nelson McBride Development):** A request for a change of zoning from a “R-3” Residence District to a “PC” Planned Commercial District for a 1.1 acre tract of land located at 15310 Conway Road, at the southwest corner of Chesterfield Parkway and Conway Road (Locator Number 18S310382).

Permitted Uses:

1. Offices or office buildings
2. Parking areas, including parking garage

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

- The typographical error in the published Public Hearing notice has been corrected as follows:

*A request for a change of zoning from a “R-3” Residence District to a “PC” Planned Commercial District for a 1.1 acre tract of land located at 15310 Conway Road, at the ~~north~~**WEST** corner of Chesterfield Parkway and Conway Road.*

- A corrected copy of the notice was published and was posted on the City’s website.
- Three Public Hearing Notices were posted on June 20, 2006.
- The site is surrounded by both commercial and residential properties.
- Recently, City Council approved the rezoning request from Stallone’s Formal Wear for a change from R3 to PC. Stallone’s Formal Wear is to the west of the subject site.

- The Planning Department is currently reviewing the following items:
 1. Tree Preservation
 - Tree Stand Delineation as an overlay to the Preliminary Plan
 - Separate the Mitigation Plan from the Landscape Plan
 - Address Criteria for Mitigation as set forth in the Tree Manual

 2. Adherence to Ordinance 1678 with Regard to Minimum Open Space (45% required; 37% indicated on plans)
 - Use of MODOT Right-of-Way as part of Open Space Calculation

 3. Address Landscape Buffers per Comprehensive Plan Policy 10.1.3 - Landscaping along arterial roadways

- The subject site is within the Urban Core area.

PETITIONER’S PRESENTATION:

1. Mr. Michael Veloff, Clayton Engineering, 611 East 15th Street, Alton, IL stated the following:
 - They are seeking rezoning for 1.1 acres at the southwest corner of Conway and Chesterfield Parkway.
 - The footprint is approximately 8,125 sq. ft. with a gross square footage of 16,250.
 - Access to the site would come off of Conway Road. When the adjacent parcel is developed, they would move the driveway to have a shared access. Cross access would be provided as well.
 - They have 37% green space for the site. If the MoDOT right-of-way is included, the green space would be increased to 45%.
 - Due to site constraints, the majority of the tree mass will be removed.
 - The Tree Preservation Plan did not identify a lot of good species to keep.
 - They have 67 parking spaces; 65 spaces are required by Ordinance. The parking will be both garage and surface parking.

2. Mr. Jim Walterman, Principal with SWT Design, Landscape Architects for the project, 7722 Big Bend Blvd., St. Louis, MO stated the following:
 - Forestry Consultant Services has provided a report regarding the landscaping currently on site. There are no significant trees on the site.
 - Due to the unique nature of the project, the configuration, the topography, and the City's requirements, they were not able to preserve the trees on the site.
 - The Landscape Plan meets the criteria for mitigation.

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

- **Regarding evergreen trees on the site:** Deciduous evergreen trees will be included on the site. It was noted that the Landscape Plan is conceptual at this time.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:

1. Mr. Roger Berent, Trustee of August Hill, 7 Upper Conway Lane, Chesterfield, MO stated the following:
 - August Hill condominiums are approximately .25-.50 mile from the intersection. Currently the intersection is very congested.
 - Upon polling the majority of the condo owners, it was determined that they are all opposed to the subject petition.
 - The 1.1 acre site currently gives a "green effect" as one comes off the highway. If a building is placed on the site, the homeowners feel it will take away from the value of their homes, which are in the million dollar range.
 - The current traffic is heavy from the existing office buildings in the area. A new synagogue is planned for the area, along with the proposed project having 65-67 vehicles entering and exiting the office building.
 - They ask that the Commission not approve the project and keep the area residential with the current greenery.
2. Ms. Lynn Schmidt, 1337 Conway Oaks Drive, Chesterfield, MO stated the following:
 - She lives in the Conway Glen subdivision.
 - She is in opposition to the project. She is raising two children in the neighborhood and feels it is nice to see the green when leaving her neighborhood.

SPEAKERS – NEUTRAL: None

REBUTTAL:

1. Mr. Veloff stated the following:
 - Regarding traffic, they will work with Staff to address any issues. They do not expect all the parking spaces to be filled at any one time. The traffic will not be continuous to the site – it will be morning and evening traffic.

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

- **Regarding parking:** The parking garage is below the building footprint with approximately 20 parking spaces.

ISSUES:

1. Traffic patterns – provide a Traffic Study of the area.
2. Mayor Nations pointed out that the City has a long history of not including MoDOT right-of-ways in the green space calculations.
3. Assume a build-out of the remaining old houses in the area and how such a build-out would affect the intersection.
4. Staff will be requesting a Mitigation Plan from the petitioner. The current plan does not meet the City's submission requirements.
5. Review the size of the trees to be installed – significant-sized trees should be used in mitigation.
6. Since this is a very visible corner for the City, will a sign package be proposed for the site?

Commissioner O'Connor read the Closing Comments for Public Hearings **P.Z. 15-2006 Wild Horse Creek Road Office (Larry Mintz)** and **P.Z. 16-2006 Conway Point Office Building (Nelson McBride Development)**.

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the minutes of the **June 26, 2006 Planning Commission Meeting**. The motion was seconded by Commissioner Perantoni and **passed by a voice vote of 8 to 0**. (Commissioner Asmus abstained from the vote as he was not in attendance at the June 26th meeting.)

VI. PUBLIC COMMENT

RE: P.Z. 05-2006 Barry Simon Development (Tuscany Reserve):

Petitioner:

1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Ste. 300, Chesterfield, MO gave a PowerPoint presentation and stated the following:
 - The Public Hearing was March 13, 2006 at which time issues were identified.
 - The Petitioner feels the density for the proposed site is compatible with the surrounding developments and the Comprehensive Plan.
 - A chart was displayed comparing the E-One Acre District to the E-Half Acre District.

- The following changes have been made to the plan since its original submission:
 - Because of concern raised about playground equipment in the area, the seller of the property will be removing this portion of the site from the petitioner's acquisition and will convey it to Linda Vista School. This change has required an adjustment to the lots and lot lines.
 - The entrance off Strecker Road has been moved slightly to the west.
- Regarding the issue concerning the Macaluso easement, while the rights and obligations of the property benefiting by the easement and the property burdened by the easement are a private matter, the petitioner is accommodating the easement in the plan so the Macaluso's will have unobstructed access from Strecker Road using the easement.

Mayor Nations expressed concern about the drive lane of the school that would be running immediately behind houses that are to be constructed. Mr. Doster stated that they have spoken to representatives of Linda Vista School and they are satisfied with the petitioner's resolution of the issue.

2. Mr. Barry Simon, 632A Trade Center Boulevard, Chesterfield, MO stated that he was available for questions.
3. Mr. Richard A. Halsey, Hall & Halsey Associates, Inc., Landscape Architect for the project, 424 South Clay Avenue, St. Louis, MO stated the following:
 - Regarding the issue of buffering on the project, there is a 30 foot-wide minimum landscape buffer along the north, south, east and west property lines – surrounding the entire development.
 - This is a landscape easement meeting the City's requirements. It will be controlled by the Trustees of the subdivision for maintenance and upkeep.
 - Other landscaping is being proposed primarily along Strecker Road where the ornamental lakes and ponds are.
 - Much of the northern property boundary will be protected with the existing tree masses that are already in place.
4. Mr. Ed Unwin, Sterling Engineering, 5055 New Baumgartner Road, St. Louis, MO stated he was available for questions.

Speakers in Favor:

1. Mr. Greg Godfrey, member of the Board of Directors of Linda Vista Catholic School, 17716 Birch Leaf Court, Chesterfield, MO stated the following:
 - The school has been at its present location for forty years.
 - They believe the Tuscan Reserve development is complementary to their site and would make an excellent neighbor.
 - The Sisters of the Most Precious Blood sponsor the school and are very supportive of the development.

Mayor Nations expressed concern about how close the proposed houses would be built to the school.

Speakers in Opposition:

1. Mr. Dave Potter, Trustee of Pacland Place, 1533 Pacland Place, Chesterfield, MO stated he would be addressing the issue of the proposed density being compatible with the surrounding developments and the Comprehensive Plan:
 - The residents of Pacland Place do not feel the proposed project is compatible with many of the surrounding developments.
 - There is only about 5% of the adjacent area that is compatible to the proposed development.
 - There is a parcel of land included in the rezoning request that is subject to the indentures of the Pacland Place subdivision, which would be required to be developed in three-acre plots.
 - Regarding the developer's statement that the Comprehensive Plan requires one-acre density, Speaker feels that the Comprehensive Plan serves as a framework for future land use consideration and is not a requirement.
 - Speaker feels that one acre density is not appropriate for the site; he feels that the current zoning of "LLR" is appropriate.

2. Ms. Stephanie Macaluso, 1514 Pacland Place, Chesterfield, MO stated she too would be addressing the issue of the proposed density being compatible with the surrounding developments and the Comprehensive Plan:
 - The Comprehensive Plan and Land Use Map serve as a framework for future land use and development decisions.
 - The Comprehensive Plan was amended in 2005 with changes regarding the Wild Horse Creek Road sub-area. Speaker noted that the words "*or larger*" were added to the language regarding One-Half Acre and One Acre residential development noting that these are the *minimum* standards that will be acceptable.
 - In 1998, the City rezoned the subject tract of land to "LLR" from "NU". "LLR" is not a holding zoning, as was stated by the petitioner, but is a current and viable zoning. She feels this is the correct zoning for this land.
 - The only change to any of the surrounding area was the building of her home in 1997, which is on five acres.
 - With the exception of the few homes in the Highlands subdivision, all the homes in the surrounding developments are on three acres or more. Ninety percent of the surrounding area consists of three acres or greater.
 - The minimum density that the Comprehensive Plan calls out for is one acre. Speaker questioned whether the City would only maintain the minimum standards or whether the City has higher standards. She feels the City does have higher standards.
 - She asked that the high standards of the City be maintained and that the current zoning be maintained.

3. Mr. Charlie Macaluso, Trustee of Pacland Place, 1514 Pacland Place, Chesterfield, MO stated the following:
 - There are twelve acres in the proposed project that are required to be under the indentures of Pacland Place. The indentures require a minimum of one home per three acres.
 - They ask that the Commission remove this section of land out of the zoning request so that it remains “LLR” and is subject to the Pacland Place indentures.
 - If removal is not possible, they request that the Attachment A specify this parcel be required to have one home on three acres.
 - Pacland Lake has been in the area for fifty years and they believe a provision should be included requiring buffering to prohibit residents from the proposed development access to the lake. This is being requested for both a safety standpoint and a privacy standpoint.
 - He feels the “LLR” zoning is the correct zoning for the proposed development.

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

- **Regarding whether other properties in the area currently have access to Pacland Lake:** The residents are able to walk to the lake. The concern is that the new development proposes 45 homes, which would increase substantially the number of people who have access to the lake.

RE: P.Z. 10-2006 Plan Provision LLC (Wildhorse Child Care Center)

Petitioner:

1. Mr. Rodney Henry, 17661 Wild Horse Creek Road, Chesterfield, MO stated he was available for any questions.

City Attorney Heggie asked Mr. Henry if he was familiar with the amount of noise and the noise level generated by the airport at the location of his property. Mr. Henry stated he was.

RE: Westerly Place (2297 Schoettler) Ordinance Amendment

Petitioner:

1. Mr. Dwight L. Smith, 2297 Schoettler Road, Lot 1 of Westerly Place, Chesterfield, MO stated the following:
 - He bought Lot 1 in 1956, which has a very undesirable shape that includes a “panhandle”.
 - His neighbor would like to have this piece of his property and he requests that it be approved.
 - By approving the ordinance amendment, his property line would be straightened out making his lot more desirable.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **Briarcliffe Villas Site Development Plan:** Site Development Plan and Landscape Plan for a 29.43 acre parcel zoned "R-3" PEU. The site is located north of Olive Boulevard, east of the intersection with Hog Hollow.

Commissioner Asmus, representing the Site Plan Committee, made a motion to hold the Site Development Plan and Landscape Plan. The motion was seconded by **Commissioner Banks** and **passed by a voice vote of 9 to 0.**

(The Commission recessed from 8:39 p.m. to 8:45 p.m.)

VIII. OLD BUSINESS

- A. **P.Z. 05-2006 Barry Simon Development (Tuscany Reserve):** A request for a change of zoning from "LLR" Large Lot Residential to "E-One Acre" Estate District for 58.1 acre tracts of land located north of Strecker Road, east of Church Road. (19U420215)

Ms. Aimee Nassif, Senior Planner, stated the following:

- The Public Hearing was held on March 13, 2006.
- The open issue regarding the variance to the street length for the cul-de-sac is currently under review by the Departments of Planning and Public Works.
- For clarification, Ms. Nassif noted that "LLR" is an existing category in the City's Zoning Ordinance. Under "LLR", the minimum lot size requirement for churches and schools is five acres; and for other buildings, it is three acres.
- The Draft Attachment A includes a 30-foot landscape buffer requirement for the entire perimeter of the site.

ISSUES

1. Variance request to the street length for the cul-de-sac.
2. Provide clarification on the emergency gate as to when it will be open. Ms. Nassif stated that the access to Church Road, and whether or not it should be gated, is currently under review by the Department of Public Works.
3. If the emergency access is approved by Public Works, does it have limitations on how close it can be to roads? Ms. Nassif stated that when a determination is made by Public Works, conditions will be required for the road, road improvements, and access, which will be included in the Attachment A.
4. Provide information about the down-stream conditions. Ms. Nassif stated that she has been in contact with the City of Wildwood and they have

indicated that they will provide written comments on the down-stream conditions. To date, these comments have not been received.

5. Provide clarification about the access easement through to the Macaluso property. Even though it is a private issue, provide information on how the easement will look and how it would relate to the properties. City Attorney Heggie stated that the easement is a matter of a recorded deed between the two parties. The property that is burdened (the proposed development) is required to maintain an easement in accordance with the terms of the recorded document. The Planning Commission and City do not take issue with easements because they are private arrangements between the land owners.
6. Will the developer consider keeping the twelve acres subject to the Pacland Place indentures under the “LLR” zoning? Mr. Doster stated that the developer is not willing to do this. He then read the intent and purpose of “LLR”: *“The purpose of the “LLR” Large Lot Residential District is to provide for residential uses and activities and other compatible uses in areas where the normal provision of community infrastructure is not desirable or not feasible.”* Mr. Doster stated that, in their view, “LLR” is not appropriate when the subject twelve acres are being integrated into a development that will provide community infrastructure.
7. Could language be provided in the Attachment A specifying that the lots in the subject twelve acres would remain at three acres? City Attorney Heggie stated that he would review the matter to determine if language could be included in the Attachment A to address this issue.
8. Discussion was held on whether or not a Phase I Environmental Study is necessary for the site, specifically addressing wildlife areas and erosion. City Attorney Heggie stated that a Phase I Environmental Study would not examine these types of issues. Such a study seeks to identify areas of concern in terms of environmental hazards, dumping, etc. that would be worthy of further study.
9. Regarding the issue of whether the density is compatible with surrounding developments, provide a table showing the actual densities of the surrounding developments. The table should also include the densities of the surrounding developments in the City of Wildwood. The table is to address the issue of consistency of density between Chesterfield and Wildwood. Ms. Nassif stated that a table will be included in the Vote Report.
10. Regarding density, provide a comparison with the E District Ordinance of the conditions regarding density and buffers. Ms. Nassif stated that the E District Ordinance would require an additional buffer of about 20 feet because some of the adjacent properties are more dense. Density would remain the same under the E District category.
11. Provide information on water runoff – the possible increased water flow into Caulk’s Creek that may affect Clarkson Valley or Wildwood. How will it affect neighboring tracts of land and Caulk’s Creek erosion? Chair Hirsch stated that more analysis will be forthcoming from the Department of Public Works.

- B. P.Z. 8-2006 Four Seasons Plaza (Dr. Phil Hendricks):** A request for an amendment to City of Chesterfield Ordinance 775 to permit financial institutions, medical offices, restaurants, and drive-up facilities in Four Seasons Plaza, a 2.35 acre "C8" Planned Commercial District located on the south side of Olive Boulevard, directly across from the intersection of State Highway 340 and River Valley Drive. (LOCATOR NUMBER 16Q230260)

ISSUES

1. Attachment A to address times for trash pick-up. (It was clarified that the current ordinance allows trash pick-up at 7:00 a.m. whereas the Petitioner has indicated that they would not have trash pick-up prior to 8:00 a.m.)
2. Attachment A to address time constraints for the lighting hours of the site, other than the ATM security lighting.
3. Regarding the width of the drive lane under the canopy, Ms. McCaskill-Clay stated that the plan indicates that the lane is 30 feet wide. She noted that the canopy is 30 feet wide; the lane under the canopy is 24 feet wide; and the lane goes down to 19 feet when going into the parking area. The plan and the Attachment A are to be corrected showing the actual size of the drive-thru lane. For clarification purposes, Ms. McCaskill-Clay stated that both the Fire Protection District and Public Works have reviewed the drive lane and they have no issues with the turn radius.
4. The entrance and exits lanes at the stop light at Olive are very narrow. Does the width meet City standards? Ms. McCaskill-Clay stated that MoDOT and Public Works have requested that the first entrance be removed. The Petitioner has complied with this request. If the width does meet City standards, what measures will be taken to keep the cars apart?
5. City Attorney Heggie will draft language for the Attachment A regarding the prohibition of a high-use, high-density fast-food place for the site. Get clarification from the Petitioner on the use for the drive-thru lane.

- C. P.Z. 10-2006 Plan Provision LLC (Wildhorse Child Care Center):** A request for a change of zoning from "NU" Non-Urban to "E-Half Acre" Estate District for a 2.245 acre tract of land located north of Wild Horse Creek Road and west of Long Road. (18V510017&18V510095).

Ms. Nassif stated that the Public Hearing was held on May 22, 2006. One issue remains open regarding access to the site along Wild Horse Creek Road.

Commissioner Sandifer made a motion directing Staff to ask the Airport for comments regarding an avigation easement on the site, which is to be included in the Attachment A. The motion was seconded by Commissioner Sherman and passed by a voice vote of 9 to 0.

Commissioner Sherman made a motion to approve P.Z. 10-2006 Plan Provision LLC (Wildhorse Child Care Center) with the following addition to Section L. of the Attachment A.

- 12. At the time of development of the internal roadway system, a gate shall be installed along the northern portion of this site, adjacent to the internal roadway system, as directed by the City of Chesterfield.***

The motion was seconded by Commissioner Geckeler.

Commissioner Banks expressed concern about leaving the access at the intersection with the school. He noted that when the school is in session, the intersection is very congested with traffic backing up for miles. If the access is eliminated and moved back to the conceptual internal road, it would eliminate left-hand turns into the school. He felt the intention of the internal roadway was to keep traffic off Wild Horse Creek Road and to close as many potential curb cuts as possible.

Chair Hirsch stated that he attended a meeting with Staff, Mr. Henry, and Mr. Steinbach regarding this issue. Chair Hirsch had a concern that drivers would use the ingress/egress by the Child Care Center as a shortcut to get to the internal roadway. He felt this would cause a problem with traffic and would be a hazard to the Child Care Center. Mr. Henry had indicated at this meeting that the majority of the clients to the Child Care Center would be people who would be using the Elementary School across the street. He noted that this is a fully-signalized intersection that would have improvements made, including a left-turn lane on Wild Horse Creek Road for the eastbound traffic.

Upon roll call, the vote was as follows:

**Aye: Commissioner Perantoni, Commissioner Sandifer,
Commissioner Sherman, Commissioner Asmus,
Commissioner Geckeler, Commissioner O'Connor
Chairman Hirsch**

Nay: Commissioner Banks, Commissioner Broemmer

The motion passed by a vote of 7 to 2.

IX. NEW BUSINESS

- A. **Westerly Place (2297 Schoettler) Ordinance Amendment:** An ordinance amendment for 2297 Schoettler, an approximately .76 acre property, zoned "R1-A" in a "PEU" and located north of the intersection of Clayton Road and Schoettler Road. Requesting an ordinance amendment to amend the minimum lot size along Schoettler Road.

Project Planner Jennifer Yackley stated that the ordinance request is to change the minimum lot of the lots fronting Schoettler Road from 35,000 sq. ft. to 26,200 sq. ft. This amendment would allow the Petitioner to adjust the boundary of his plat.

Commissioner Sherman made a motion to approve **Westerly Place (2297 Schoettler) Ordinance Amendment.** The motion was seconded by **Commissioner Geckeler.**

Upon roll call, the vote was as follows:

**Aye: Commissioner Sandifer, Commissioner Sherman,
Commissioner Asmus, Commissioner Banks,
Commissioner Geckeler, Commissioner O'Connor
Commissioner Perantoni, Chairman Hirsch**

Nay: Commissioner Broemmer

The motion **passed** by a vote of 8 to 1.

X. COMMITTEE REPORTS

It was agreed that the Planning Commission would meet on August 30, 2006, 5:30 p.m. for its Annual Workshop Session.

Ms. Teresa Price, Director of Planning, outlined agenda items for the following Committees:

A. **Committee of the Whole – None**

B. **Ordinance Review Committee**

- Public Art
- Street Matrix regarding the current 800-foot limit for cul-de-sacs
Chair Hirsch noted that this limitation was inherited from the County. He would like the Committee to review it to determine if it is still

appropriate and to review the issues relative to planning, safety, and road maintenance.

- Review the issue of “street” vs. “driveway”
- Non-Residential Uses in Residential Districts

C. Architectural Review Committee

- Architectural Guidelines

D. Landscape Committee

- Tree Manual

E. Comprehensive Plan Committee

- Review the west end of the Valley regarding the criteria for open space

F. Procedures and Planning Committee – None

G. Landmarks Preservation Commission - None

XI. ADJOURNMENT

The meeting adjourned at 9:26 p.m.

David Banks, Secretary