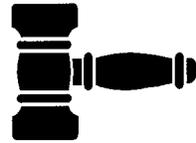


CORRECTED



**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
January 10, 2000**

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

I. PRESENT

ABSENT

Mr. David Banks
Mr. Fred Broemmer
Mr. Charles Eifler
Ms. Stephanie Macaluso
Mr. John Nations
Ms. Rachel Nolen
Mr. Jerry Right
Ms. Victoria Sherman
Chairman Dan Layton, Jr.
Mayor Nancy Greenwood
Mr. Doug Beach, City Attorney
Councilmember Jane Durrell, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Kathy Lone, Executive Secretary/Planning Assistant

II. INVOCATION: Commissioner Macaluso

III. PLEDGE OF ALLEGIANCE: All

Chairman Layton recognized the attendance of Mayor Nancy Greenwood, Councilmember Jane Durrell (Ward I), Councilmember Dan Hurt (Ward III), Councilmember Linda Tilley (Ward IV).

IV. PUBLIC HEARINGS:

Commissioner Nations read the first portion of the "Opening Comments."

- A. P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.:** A request for a change in zoning from "NU" Non-Urban District to "PC" Planned Commercial District for a 52.6 acre tract of land located south of Chesterfield Airport Road, east of Boones Crossing and north of the St. Louis, Kansas City and Colorado Railroad.

Proposed Uses:

- Associated work and storage areas required by a business, firm, or service to carry on business operations;
- Barber Shops and beauty parlors;
- Bookstores;
- Cafeterias for employees and guests only;
- Colleges and universities;
- Dry cleaning drop-off and pick-up stations;
- Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours;
- Film drop-off and pick-up stations;
- Financial institutions;
- Hotels and motels;
- Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - Placed underground; or
 - Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning or review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- Medical and dental offices;
- Offices or office buildings;
- Public utility facilities;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, fast food;
- Restaurants, sit down;
- Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training;
- Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises;
- Permitted signs (See Section 1003.168 'Sign Regulations');
- Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor

vehicles, are being offered for sale or hire to the general public on the remises;

- Vehicle repair facilities for automobiles;
- Vehicle service centers for automobiles;
- Vehicle washing facilities for automobiles.

Assistant Director of Planning Laura Griggs-McElhanon gave a slide presentation of the subject site and surrounding area.

1. Mr. Michael Doster, 16476 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for petitioner of P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker stated that the petitioner wants to rezone from “NU” to “PC” – Planned Commercial;
- Speaker stated that the proposed uses are in compliance with the Chesterfield Valley Master Plan – mixed commercial use;
- Speaker stated that the property is bounded by Petropolis on the east and Chesterfield Commons on the west;
- Speaker stated that the total acreage is approximately 52.6 acres;
- Speaker stated that presently there would be two (2) anchors –
Anchor I – 137,383 square feet
Anchor II – 86, 895 square feet
Small retail shops – 23,000 square feet
247,278 total square footage
- Speaker stated that the plan currently is being shown as a conceptual plan because the developer is not at liberty to disclose possible tenants;
- Speaker stated that the required number of on-site parking spaces would be provided;
- Speaker stated that there would be two (2) access points on Chesterfield Airport Road. The access point to the west is private as well as the access to the east. The access point to the west will be signalized per St. Louis County but the access point to the east will not;
- Speaker stated that, once the rezoning is approved, the petitioner will petition for the vacation of Olive Street Road from the southeast corner of the Valley Boys property all the way to the eastern boundary of the subject site;
- Speaker stated that access for the two (2) parcels that are not involved in the rezoning would be via Olive Street Road as it remains and the developer would propose building a connection from Olive Street Road on the eastern boundary of the Commons project over to THF Boulevard to where it intersects directly across from an access point in front of the Wal-Mart development;
- Speaker stated that storm water drainage will be done in accordance with the Chesterfield Valley Master Plan or a functional equivalent;
- Speaker stated that the plan shows two (2) outlots which are approximately 1 acre each;
- Speaker presented a handout to the Commission stating that THF Development will take the following actions in an effort to alleviate any perceived problems:

1. Wal-Mart will go to "night lighting" in its parking lot at 11:30 p.m., reducing the light emanating from the parking lot by approximately 80% (the other tenants are already doing this);
 2. Wal-Mart will replace the screen covering the top of its Garden Center (which would normally be removed during the winter months to prevent loading of snow), thereby reducing the light emanating from the Garden Center; or, in the alternative, Wal-Mart will turn the Garden Center lights off during the winter months;
 3. The small-shop tenants west of Wal-Mart will replace the wall-mounted service lights on the back of their buildings, which are currently multi-directional, with downward lights similar to those on the back of the Wal-Mart building;
 4. The back side of the Wal-Mart parapet will be painted in an earth-tone color (it is currently white); and
 5. Shades will be installed on the pole lighting along THF Boulevard (east of Wal-Mart) and behind the small shops west of Wal-Mart, to reduce the amount of light visible from the bluff. (THF Boulevard is a public street, and the City will not allow the lights to be turned off or dimmed.)
- Speaker stated that representatives of THF Development met with trustees and residents of the Villas at Chesterfield Bluffs on Saturday, January 8, 2000, and before the Planning Commission meeting this evening. Mr. Spencer Bankston, of LSI Industries, a lighting expert for THF Development, answered questions in terms of what is being proposed with respect to the subject project;
 - Speaker stated that THF Development is willing to abide by specific criteria set forth in Ordinance #1344, which is the Chesterfield Commons Ordinance.

Chairman Layton clarified that Mr. Michael Staenberg stated that the above five (5) actions, with the exception of #4 which requires warmer weather, could be accomplished within the next 30 days. Mr. Staenberg also stated in the Work Session that he might be willing to sit down with residents from the Villas along the bluff and discuss supplementing their vegetation with pine trees.

Mr. Doster stated that Mr. Staenberg was willing to do this previously but there had not been any takers, for whatever reason.

2. Mr. Thomas Roof, 8251 Maryland Avenue, Suite 300, St. Louis, MO 63105, architect for the petitioner, speaking for P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;
- Speaker stated that the petitioner has the same commitment to maintain the high quality level of design that was implemented in the Chesterfield Commons project. This includes the use of brick storefronts, masonry materials on all four sides of the buildings, and electing to size the outlots to maintain the rhythm in terms of positioning the buildings and the out parcels along Olive Street Road.

Mr. Roof stated that the Chesterfield Commons is approximately 750,000 square feet and this development is approximately one-third that size.

Mr. Doster stated that there are no immediate plans to develop the site to the south of this property. Mr. Doster stated that the site can support an additional 80,000 square feet, therefore the Commission could impose a square footage cap.

Mr. Doster stated that the petitioner will be seeking to vacate a portion of Olive Street Road and that there will be access via a private drive to the rear of the development and to the private drive on the east side eventually connecting with Edison Road.

Commissioner Macaluso asked if the petitioner had met and talked to the owners of the adjacent lots to this proposed development and if they were acceptable to the idea of the petitioner vacating his section of Olive Street Road and putting in a new access area for them to get to their lots.

Mr. Doster stated that he had not but understands that representatives of THF Realty have had contact with the owners of both lots.

Commissioner Macaluso expressed concern about land locking these adjacent two (2) lots if the petitioner vacates Olive Street Road and Chesterfield Airport Road.

Mr. Doster stated that the petitioner would not vacate Olive Street Road to the rear of the adjacent lots. Mr. Doster stated that there would be a drive across Lot 6 on Chesterfield Commons which would curve southward and intersect THF Boulevard at the point that there is a curb cut for Wal-Mart. Mr. Doster stated that there is also an access in the back of the center to the east.

Commissioner Macaluso stated that she would like to hear from the two (2) lot owners concerning the vacating of one of the accesses to their properties.

City Attorney Doug Beach asked about cross access on the outer roads to the adjacent lots. (Petropolis on the east and allowing access to that road from their site as well as to the road on the west.)

Mr. Doster stated that there have been discussions between representatives of THF Realty, the owners of Petropolis and the adjacent lot owners concerning access to the private drive on the east of the subject property. Mr. Doster stated that it is his understanding that the developer is willing to allow that to occur but it has not been decided where it will occur. Mr. Doster stated that the plan does not allow for access on the west. Mr. Doster stated that there have been discussions concerning the continuance of the inner road that is on the Commons property all the way across this portion of the Valley. If that were to happen, there would be no objection from the petitioner. Mr. Doster stated that there has been an attempt to align the inner road of the subject development with the inner road of the existing Chesterfield Commons development.

Commissioner Banks asked if all of the proposed uses listed were essential with development moving closer to the bluffs.

Mr. Doster stated that the petitioner would look at the list of uses to see which ones could be eliminated.

Commissioner Macaluso stated that she would like the use of fast food removed from the list of proposed uses.

Commissioner Nolen stated that she would like the road continued through the properties because she likes the way the development has taken on the linear look and because it helps alleviate traffic concerns.

Mr. Doster stated that the petitioner tried to buy the properties but a deal could not be made.

SPEAKERS IN FAVOR –

1. Mr. Leonard Kiem, 16810 Chesterfield Bluffs Circle, Chesterfield, MO 63005, trustee for Villas of Chesterfield Bluffs, speaking in favor of P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker stated that residents of Villas of Chesterfield Bluffs realize that this property will be developed by a qualified developer under the restrictions imposed by the City of Chesterfield;
- Speaker stated that the residents would like to see the following restrictions placed in the ordinance:

1. That the lighting for the stores and parking lots be addressed so that it is not allowed to become intrusive to their homes;
2. Have reasonable delivery hours, including specified hours for trash removal;
3. Additional planting by the developer to screen the view and noise from homes;
4. Limitations placed on the grading (hours of grading, that streets be kept clear of dust and that the fills be wetted down).
5. Assurance that the rear of the buildings be constructed of the same materials as the fronts. Additional landscaping on the rear would be a benefit to residents in terms of screening the rear of the buildings.

2. Dr. Paul Schifano, 16830 Chesterfield Airport Road, Chesterfield, MO 63005, president of Petropolis, speaking in favor of P.Z. 37-1999 THF Chesterfield Two Development L.L.C.;

- Speaker stated that he has met with the developer and questions have been answered to his satisfaction;
- Speaker stated that access to the southern undeveloped piece of property was his main concern. Speaker stated that his understanding is that the developer has agreed to allow access at an area which appears acceptable. Speaker stated that there is a fee associated with this but he has not yet investigated to see if the fee is reasonable. If the fee is reasonable, speaker does not have any problems with the development going forward;
- Speaker stated that he would like the fast food use retained.

SPEAKERS IN OPPOSITION -

3. Ms. Connie Fults, 129 Brighthurst, Chesterfield, MO 63005, trustee for Chesterfield Farms Subdivision, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker stated she would like the concerns addressed in writing;
- Speaker stated that before there is any more development in the Valley, the problems that have already been created need to be addressed;
- Speaker stated that there have been violations concerning the hours of operation and deliveries;
- Speaker stated the residents had chosen to have the money used behind the Wal-Mart and have the landscaping closer to the building instead of given to the homeowners. Speaker stated that there has yet to be any landscaping put behind Wal-Mart;
- Speaker stated that there are problems with residents and the back retention pond. The subdivision needs to do landscaping to help these residents so homeowners would gladly take the money for this use. Speaker would like it put in writing when this landscaping will be done;
- Speaker stated that current problems would be magnified if not taken care of before there is more development.

4. Mr. Tedd Niemeyer, 168 Brighthurst Drive, Chesterfield, MO 63005, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker stated that property values and quality of life have decreased;
- Speaker stated the developer told him that he has no intention of spending \$300,000 to replace the lighting modules on top of the parking lot light poles in Chesterfield Commons;
- Speaker questioned that, if better lighting were available, why didn't the developer use it in the first place as he promised in the beginning;
- Speaker asked the Commission to mandate neighborly lighting in Phase II and condition Phase II approval on bringing Phase I into compliance concerning neighborly lighting;
- Speaker stated that he spoke to the lighting expert before the meeting and he showed the speaker pictures of very inexpensive add-on shields that are a standard product for their lights as it is very common for these to be requested and do not cost much. Speaker had asked Mr. Staenberg how many light poles there were and how many lighting shields would be purchased. Mr. Staenberg stated that there are 109 light poles and they would do the two (2) light poles behind the building. Speaker does not know why all of the light poles are not provided with light shields;
- Speaker stated that he is tired of providing amusement for the developer and would like the Commission to make sure that they complete Phase I before Phase II is started.

5. Ms. Karyn Griffin, 16657 Chesterfield Manor Drive, Chesterfield, MO 63005, trustee for Chesterfield Farms Subdivision, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker stated that the concerns of the existing development need to be addressed before development proceeds;

- Speaker stated that there will be a lot more light pollution unless standards are set for the lighting.
6. Ms. Mary Purvines, 16863 Chesterfield Bluffs Circle, Chesterfield, MO 63005, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;
- Speaker stated that there will be commercial redundancy with the proposed development;
 - Speaker stated that the development in the Valley is in contrast to the meaning to the view of the City's web site in its description of the community;
 - Speaker stated that, if the Commission is unwilling to cancel or amend the planned rezoning, the following concerns need to be addressed satisfactorily:
 1. Control the colors and fabrication of the buildings;
 2. Control the light levels;
 3. Control the hours of access, parking and traffic to ensure that there is no degradation of air and noise quality;
 4. Mandate adequate landscaping and green space as a buffer;
 5. Require that the developer work with the community's residents to address their concerns satisfactorily, including adding an independent arbitration provision to the Ordinance.
- Speaker asked the following of the Commission:
 1. Have all agencies, the Planning Commission and the developer comply with the letter and spirit of all applicable procedural and substantive requirements to change the zoning;
 2. Preserve the right to submit the recommendations of their own "experts" (e.g. a lighting engineer) for consideration in drafting modifications to the ordinance covering this development;
 3. Have their experts meet with all affected parties to present their findings, possibly in a public forum;
 4. Have all approvals of the existing plan require an affirmative vote by a "super majority" of the Council as is mandated in some cities;
 5. Send a formal announcement and schedule of the next steps to the affected residents of both the Villas at Chesterfield Bluffs and Chesterfield Farms.

Commissioner Nolen asked about the possibility of having a lighting engineer check the lumenation in 30 days because when the zoning for this development was approved the spirit and integrity of the developer was not to damage the property values.

Commissioner Broemmer stated that the lumen level is a measure of light output coming from the fixture and *not* the angle that the light *is distributed*. A lumen level could be correct but *the distribution is at the* wrong angle. Commissioner Broemmer would like to request of the developer that all of the fixtures be eliminated that have dropped lenses with the light coming out. There are light fixtures available that only have the lens on the bottom so that light can not be seen out of the sides. All light is directed downward. Commissioner Broemmer stated that this is what was supposed to be used.

SPEAKERS – NEUTRAL –

7. Mr. Fredric Ramin, 16717 Chesterfield Farms Drive, Chesterfield, MO 63005, speaking neutral to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;
 - Speaker stated that his question has been answered.
8. Mr. Paul Soracco, 16813 Chesterfield Bluffs Circle, Chesterfield, MO 63005, speaking neutral to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;
 - Speaker stated that an impact study had not been done.
9. Mr. Kent Kehr, 13334 Fairfield Square, Town and Country, MO 63017, speaking neutral to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;
 - Speaker stated that he owns the parcel to the west of the proposed tract;
 - Speaker stated that his concern is the proposed access to this parcel. Speaker stated that he has had discussions with Mr. Staenberg and Mr. Staenberg indicated to him that if the property was not sold to him at his price, he would cut off access and the only access would be via Old Olive Street Road, ending in a cul-de-sac. Speaker stated that that is unacceptable to him and that the other property owner, Ms. Abichandani, stated the same thing to Mr. Staenberg. Speaker stated that even if this proposed development goes through, he believes he will have access to Old Olive Street Road but obviously that is in the hands of St. Louis County Highway Department. Speaker stated that he would like the Commission to work with Mr. Staenberg to develop an access from Chesterfield Airport Road which would give access to both of these parcels. An original plan by Mr. Staenberg showed a road adjacent to the speaker's property that would put a road on the east side which would serve both the speaker's and Mr. Staenberg's property, and the Abercandani property could be accessed through the parcel next to that;
 - Speaker understands the City and County's interest in keeping a limit on entrances on Chesterfield Airport Road to a minimum.

Mr. Kehr stated that he would check with St. Louis County to see if he could receive a curb cut on Chesterfield Airport Road and then contact the Planning Department with the finding.

Mr. Kehr stated that he would be willing to give up property and help pay for the costs of a shared access road.

Commissioner Eifler clarified, for his understanding, that prior to Chesterfield Commons and this proposed property, Mr. Kehr had access from Old Olive Street Road to his property and had expectations of access to Chesterfield Airport Road. What has changed is that Old Olive Street Road has been vacated to the west and it is proposed that it be vacated to the east so, in effect, access to Old Olive Street Road has no value at all. Furthermore, with all of the curb cuts from the THF developers, there is some question, on Mr. Kehr's part, as to whether the County will allow Mr. Kehr to have a curb cut. If no curb cut is allowed then there would not be any access to the service road and Mr. Kehr's property would be isolated.

Mr. Kehr stated that Mr. Doster said that the County said he would not have one.

Chairman Layton asked Staff to check into the County's opinion of curb cuts on Chesterfield Airport Road.

Commissioner Sherman asked Mr. Kehr to find out what Ms. Abichandani may do and to see how it would work with this.

REBUTTAL –

Mr. Doster stated the following:

- That he does not know if the County would permit a curb cut on Chesterfield Airport Road;
- That, on Mr. Staenberg's behalf, if Mr. Kehr is willing to give up half the land and pay half the cost for joint access, he would be willing to revise his plan accordingly;
- That, if the rezoning is approved, petitioner would not ask for vacation of Old Olive Street Road at the rear of Mr. Kehr's or Ms. Abandaini's property and would propose that a link be built to THF Boulevard, which could be a public connection so there would be a public connection to a public road at the rear of those two (2) parcels;
- Mr. Doster proposes vacating the eastern portion of Old Olive Street Road via dedicated easement – there would be access to the rear of the center over to the eastern access to the proposed development that ultimately connects on the south to Edison Road.

Commissioner Banks stated that Mr. Kehr's property is not even half the depth of the proposed development and he is very limited as to what he can put on his property.

City Attorney Beach stated that he has not heard from the Department of Public Works but stated that he would be surprised if they want to maintain a small portion that does not go any where.

Mr. Doster stated that he has a concern about the idea that the approval for this proposed development should be conditioned upon certain items being addressed with Chesterfield Commons. Mr. Doster stated that Mr. Staenberg is adding shades to some of the lights and changing others. Changing all of the lights is very costly and could be hazardous by leaving dark spots on the parking lot.

Mr. Staenberg, president of THF Realty, stated that pine trees have been planted except behind Wal-Mart. The reason they have not been planted behind Wal-Mart is because the retaining wall is not yet completed, and the pine trees were planted on the berm in the rear and the deciduous trees will be planted this week. Mr. Staenberg stated that he would be willing to meet with the residents to discuss the landscaping by their homes on an individual basis.

Commissioner Eifler said that for a development of this size, the main complaint of rear lighting is a relatively easy one to correct. Commissioner Eifler stated that, in the interest of being a good neighbor, Mr. Staenberg should have his lighting experts address this one problem which is a major issue.

Commissioner Broemmer suggested that Mr. Staenberg do a test area.

Commissioner Broemmer asked Mr. Doster about the statement that if property was not sold, access would be cut off.

Mr. Doster stated that there may have been a heated exchange but he is unaware of what may have been said.

Chairman Layton asked about having Staff retain a lighting expert to give criteria on what could be expected.

Commissioner Broemmer stated that perhaps there is enough expertise on the Commission and with Staff.

Commissioner Macaluso suggested having the residents report back to the Commission instead of hiring an expert.

Commissioner Nolen stated that she needs help from an expert to make an informed decision.

Chairman Layton suggested that Commissioner Broemmer meet with THF Realty and their lighting experts to discuss the lighting.

Chairman Layton stated that P.Z. 37-1999 THF Chesterfield Two Development, L.L.C. would not go before the Architectural Review Board.

Commission Nations read the closing portion of the "Opening Comments."

Chairman Layton called a recess at 8:50 p.m. and reconvened the meeting at 9:02 p.m. Commissioner Eifler was not present at the reconvening of the meeting.

V. APPROVAL OF MEETING MINUTES

A motion to **approve** the December 13, 1999 Meeting Minutes was made by Commissioner Broemmer and seconded by Commissioner Right. The motion **passes by a voice vote of 8 to 0**. (Commissioner Eifler was not present for the vote.)

VI. PUBLIC COMMENT:

1. Mr. Al Henneboehle, 10 South Broadway, St. Louis, MO, petitioner speaking in favor for P.Z. 43-1999 SSM Health Care Central Region, stated;
 - Speaker stated that the architects have been instructed to address the issue that the Fire Marshall has concerning the access to the property and the ability of the roads to provide adequate access for fire equipment;
 - Speaker offered his assistance to continue to work with Staff and the Commission to move the process forward, hopefully to a positive conclusion.

Commissioner Eifler returned to the meeting at 9:07 p.m.

VII. NEW BUSINESS

- A. P.Z. 45-99 THF Chesterfield Development L.L.C. (Chesterfield Commons) An amendment to the City of Chesterfield Ordinance Number 1344 revising the limits of the C-8 Planned Commercial District to add 37.7 acres; located between the Sachs Electric Facility and the McBride Building on the side of Chesterfield Airport Road.

Assistant Director of Planning Laura Griggs-McElhanon gave an overview of the petition and stated that this petition was to correct the boundaries of the existing Chesterfield Commons development to the south of the development. Ms. Griggs-McElhanon stated that there are two (2) recommended revisions concerning the legal description and an access issue. Ms. Griggs-McElhanon corrected a condition to read as follows (the underlined words were added):

"No curb cuts shall be permitted within two hundred (200) feet of the intersection of Chesterfield Airport Road and Edison Avenue with RHL Drive, Chesterfield Commons Crossing, JW Drive, or THF Boulevard."

Ms. Griggs-McElhanon stated that Mr. Michael Geisel, Director of Public Works and the petitioner have agreed to this.

Commissioner Right made a motion to approve P.Z. 45-99 THF Chesterfield Development L.L.C. (Chesterfield Commons) as amended with the addition of "and Edison Avenue" inserted into the ordinance change. The motion was seconded by Commissioner Broemmer.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Eifler, yes; Commissioner Macaluso, yes; Commissioner Nations, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Chairman Layton, yes.

The motion passes by a vote of 9 to 0.

- B. P.Z. 6&7-98 Westchester House; Ordinance Amendment to City of Chesterfield Conditional Use Permit Number 23 for a nursing home addition; located east of White Road, south of Olive Boulevard.

Assistant Director of Planning Laura Griggs-McElhanon gave an overview of P.Z. 6&7-98 Westchester House. Ms. Griggs-McElhanon stated that the petitioner wants to convert 12 double-occupancy rooms to single-occupancy. The number of rooms would change from 60 to 72. Westchester would still have the same number of beds.

Commissioner Broemmer made a motion to approve P.Z. 6&7-98 Westchester House. The motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Eifler, yes; Commissioner Macaluso, yes; Commissioner Nations, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Banks, yes; Chairman Layton, yes.

The motion passes by a vote of 9 to 0.

- C. P.Z. 43-1999 SSM Health Care Central Region: A request for a change in zoning from "C-8" Planned Commercial District to "PC" Planned Commercial District for a 23.973 acre tract of land located on South Outer Forty, with frontage on Chesterfield Parkway East, approximately 400 feet east of Clarkson Road/State Highway 340. (Locator Numbers: 18S22-0171, 18S22-0148, 18S22-0061)
Proposed Uses:

- Associated work and storage areas required by a business, firm, or service to carry on business operations;
- Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly;
- Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections;
- Barber shops and beauty parlors;
- Bookstores;

- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- Dry cleaning drop-off and pick-up stations;
- Film drop-off and pick-up stations;
- Financial institutions;
- Hospitals;
- Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - (ii) Placed underground; or
 - (iii) Enclosed in a structure in such a manner so as to blend with complement the character of the surrounding area.
- Dental offices;
- Offices or office buildings;
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Public utility facilities;
- Recreational facilities consisting of an outdoor exercise path;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, sit down;
- Permitted signs (see Section 1003.168 "Sign Regulations");
- Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods;
- Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, are being offered for sale or hire to the general public on the premises;
- or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

Assistant Director of Planning Laura Griggs-McElhanon gave an overview of this petition and stated that there are 25 issues by Staff and eight (8) issues discussed by the Architectural Review Board at their meeting on December 16, 1999. Staff received the developer's traffic study for this petition today, January 10, 2000 and will be distributing them to the Commission.

Ms. Griggs-McElhanon stated that Staff recommends holding P.Z. 43-1999 SSM Health Care Central Region until review of the developer's traffic study and discussion with the State and County Highway Departments and the City Department of Public Works.

Commissioner Macaluso stated that she wants gender-specific parameters put on this petition.

City Attorney Beach stated that he would be discussing this with Staff.

Ms. Griggs-McElhanon clarified that the first ARB issue concerning the main entrance was a suggestion that perhaps the entrance could be on the Outer Road because you see the hospital from the Highway but the problem is that you can not get to it from the Highway.

Commissioner Banks expressed concern with the number of curb cuts on the Parkway.

Commissioner Eifler expressed concern with the lighting on the residential side of the proposed development.

Commissioner Sherman stated that the Architectural Review Board expressed concern that the development was too linear. Commissioner Sherman stated that an issue discussed at the Public Hearing on December 16, 1999, concerned driving south on Clarkson and not being able to turn left because of the median. There was discussion concerning talking to the State Highway Department to see if the entrance ramp onto eastbound Highway 40 at Clarkson could be connected to the Outer Road. If this is a possibility, people could then make a left turn like they were going back onto Highway 40 going east but they would just go back off and be on the Outer Road and enter by the north portion of the site.

Assistant Director Griggs-McElhanon stated that this would be discussed with the State.

Commissioner Sherman expressed concern about what the top of the hospital looks like from the highway.

Assistant Director of Planning Griggs-McElhanon stated that this would be a building height issue.

Commissioner Sherman expressed concern concerning the traffic flow.

Commissioner Sherman expressed concern about making this whole area look more recreational for the neighborhoods and to have more of the park-like setting start at the Parkway to draw people in.

Commissioner Nolen expressed concern for funding of improvements for Pathways on the Parkway.

Commissioner Nations made a motion to hold P.Z. 43-1999 SSM Health Care Central Region until all issues are resolved. The motion was seconded by Commissioner Macaluso and **passes by a voice vote of 9 to 0.**

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Longhorn Signage** - Usage of neon on facade of building; located on outlot #14 in the Chesterfield Commons part 1.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve Longhorn Signage as presented. The motion was seconded by Commissioner Broemmer and **passes by a voice vote of 9 to 0.**

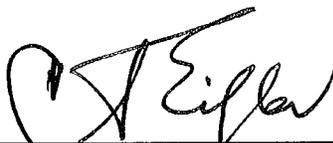
IX. COMMITTEE REPORTS:

- A. Ordinance Review Committee – No Report**
- B. Architectural Review Committee – No report**
- C. Site Plan/Landscape Committee – No report**
- D. Comprehensive Plan Committee – No report**
- E. Procedures and Planning Committee – No report**

X. ADJOURNMENT

A motion to adjourn was made by Chairman Layton and seconded by Commissioner Right. The motion passes by a voice vote of **9 to 0**.

The meeting adjourned at 9:35 P.M.



Charles Eifler, Secretary