

CORRECTED

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JANUARY 10, 2005**

The meeting was called to order at 7:05 p.m.

I. PRESENT

ABSENT

Mr. David G. Asmus
Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Ms. Stephanie Macaluso
Ms. Lu Perantoni
Mr. Thomas Sandifer
Chairman Victoria Sherman

Dr. Lynn O'Connor

Mayor John Nations
City Attorney Doug Beach
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill-Clay, Senior Planner
Mr. Kyle Dubbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Christine Smith Ross, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner Sandifer

III. PLEDGE OF ALLEGIANCE

Chairman Sherman acknowledged the attendance of Mayor John Nations; Councilmember Bruce Geiger, Council Liaison; Councilmember Jane Durrell, Ward I; Councilmember Mary Brown, Ward IV; Councilmember Connie Fults, Ward IV; and Councilmember Mike Casey, Ward III.

Commissioner Perantoni read the "Opening Comments" for Public Hearings.

IV. PUBLIC HEARINGS

Commissioner Hirsch made a motion to suspend the rules to combine all four public hearings (P.Z. 21-2004, P.Z. 22-2004, P.Z. 23-2004, and P.Z. 24-2004) into one procedure. The motion was seconded by Commissioner Broemmer and **passed by a voice vote of 8 to 0.**

A. **P.Z. 21-2004 Busch-Strutman L.L.C. (16626 Chesterfield Airport Road)**: A request for a change in zoning from an “NU” Non-Urban District to a “PC” Planned Commercial District for a .22 acre tract of land located south of Chesterfield Airport Road and west of Santa Maria Drive at 16626 Chesterfield Airport Road. (Locator Number: 17T310412). The requested amendment is to allow the following permitted uses:

- (z) Offices or office buildings
- (nn) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.

B. **P.Z. 22-2004 Busch-Strutman L.L.C. (16626 Chesterfield Airport Road)**: A request for a Landmark and Preservation Area (LPA) Procedure in the proposed “PC” Planned Commercial District for a .22 acre tract of land located south of Chesterfield Airport Road and west of Santa Maria Drive at 16626 Chesterfield Airport Road. (Locator Number: 17T310412).

Project Planner Aimee Nassif gave a power point presentation showing pictures of the subject site and stated the following:

- The property at 16626 Chesterfield Airport Road involves two rezoning requests - P.Z. 21-2004 is a request from Non-Urban to Planned Commercial and P.Z. 22-2004 is a request for a Landmark and Preservation Area Procedure.
- The public hearing notice was posted on the site on December 20, 2004.
- Ordinance 1678 requires ten parking spaces for the site if rezoned to Planned Commercial. The petitioner has requested an amendment to allow for seven parking spaces. This issue will be handled as a separate request from the two petitions submitted and will be included on the Issues Report, along with the petitioner’s request for an amendment.
- Per the Zoning Ordinance, Section 1003.191, which governs the Landmark Preservation Area, comments are required from the Historical Commission. The Department has received the comments from the Chesterfield Historical Commission supporting the Landmark and Preservation Procedure for the subject site.

- C. **P.Z. 23-2004 Busch-Strutman L.L.C. (16630 Chesterfield Airport Road)**: A request for a change in zoning from “NU” Non-Urban to “PC” Planned Commercial District for a .22 acre tract of land located south of Chesterfield Airport Road and west of Santa Maria Drive at 16630 Chesterfield Airport Road. (Locator Number: 17T310401). The requested amendment is to allow the following permitted uses:
- (z) Offices or office buildings
 - (nn) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
- D. **P.Z. 24-2004 Busch-Strutman L.L.C. (16630 Chesterfield Airport Road)**: A request for a Landmark and Preservation Area (LPA) Procedure in the proposed “PC” Planned Commercial District for a .22 acre tract of land located south of Chesterfield Airport Road and west of Santa Maria Drive at 16630 Chesterfield Airport Road. (Locator Number: 17T310401).

Project Planner Kyle Dubbert gave a power point presentation showing pictures of the subject site and stated the following:

- The property at 16630 Chesterfield Airport Road involves two rezoning requests - P.Z. 23-2004 is a request from Non-Urban to Planned Commercial and P.Z. 24-2004 is a request for a Landmark and Preservation Area Procedure.
- Comments have been received from the Chesterfield Historical Commission supporting the Landmark and Preservation Area Procedure for the subject site.
- Ordinance 1678 requires nine parking spaces on the site if rezoned to Planned Commercial. The petitioner has asked for a reduction to seven parking spaces. This will be handled as a separate request and will be attached to the Staff Report for the Commission’s review. This request will require a separate vote.

PETITIONER’S PRESENTATION:

1. Ms. Lauren Strutman, Busch-Strutman, L.L.C., 16120 Walnut Hill Farm Drive, Chesterfield, MO 63005, stated the following:
 - Both properties are proposed to be rezoned from Non-Urban to Planned Commercial and Landmark and Preservation Area.
 - The two properties are the Edward L. Schmidt house at 16626 Chesterfield Airport Road, and the Arthur Bierbraur house at 16630 Chesterfield Airport Road.
 - It is proposed that the two properties be developed together with a shared driveway leading to a parking lot.

Ms. Strutman gave a slide presentation giving the historical background on the two properties being proposed for rezoning. The two houses are located in the Old Chesterfield area, which was established in the early 1880's when the rail line arrived in the Valley.

Slides were also presented showing the work Busch-Strutman has done to promote historic preservation in Chesterfield and Wildwood. They have worked in these two cities restoring historic and landmarks structures for re-use. Their work has won many local, state, and national awards. Several buildings have been placed on the National Register of Historic Places.

Regarding the two proposed properties, Ms. Strutman stated the following:

- The two houses are Craftsman-style bungalows, popular during the 1920-30 period. They retain all the original windows, exterior and interior doors, and many original features.
- The houses meet the criteria of LPA-zoning because of their association with Edward Burkhardt, who was central to the early development of Chesterfield, and because the houses are an excellent example of design and detail of Craftsman-style bungalows.
- Regarding the zoning request for a Planned Commercial District, the Comprehensive Plan shows the subject property on the outer edge of the urban core. The Plan indicates that the urban core land uses include mixed-use development, retail and/or office space. The uses proposed are consistent with the urban core land uses stated in the Comprehensive Plan.
- All of the land uses immediately adjacent to the subject properties are industrial, institutional or commercial. Relatively few residential properties remain on the block.
- The exterior of the buildings will remain relatively unchanged – the only changes will be the addition of accessible handicap entrances at the rear of the properties. The intent is to maintain the residential character of the buildings and sites.
- The vehicular exit has been designed to be unobtrusive. A shared driveway agreement will be executed between the two subject properties. The relationship between the two driveways will remain largely unchanged. Most of the parking will be in the rear.
- The existing garages will serve as part of the required parking area. The preservation of the garages will help maintain the residential appearance and to maximize green space by using existing paved areas as parking.
- No existing trees will be affected by the proposed change of use. A waiver has been requested of the requirement to submit a tree stand delineation. There is a dense wooded area on the rear of the properties, which will not be disturbed.

Regarding the petitioner's request for a reduction in the number of parking spaces required, Ms. Strutman stated the following:

- City Ordinance 1678 specifies parking requirements for office development. It states that there shall be a minimum of four parking spaces provided for every 1,000 sq. ft. of gross floor area. The submitted development plans show seven

parking spaces for each parcel. Meeting the Ordinance requirements would require an additional two parking spaces for the property at 16626 Chesterfield Airport Road and an additional three parking spaces for the property at 16630 Chesterfield Airport Road.

- Ordinance 1678 further states that the standards may be modified if it is demonstrated that said modification will encourage, promote and reward good architecture and urban planning. The request to reduction promotes good architecture and urban planning by being consistent with the LPA zoning that is sought for the property.
- The purpose of the LPA zoning is for the preservation, protection and regulation of buildings, sites, structures, monuments and neighborhoods of architectural significance. The buildings are historic, single-family residences. The amount of existing green space, the trees and the natural slope of the hillside at the rear of the site all contribute to the historic character of the property that the zoning seeks to protect.
- Adding more parking spaces requires cutting into the steep hillside – destroying many trees and therefore, undermining the historic nature and appearance of the site.
- The proposed design minimizes the visual impact of the parking, preserves green space, and preserves the natural slope of the hillside and all of the existing trees.
- They believe the design is consistent with the overall goal of the project to preserve assets that contribute to the historic integrity and residential character of the area.
- Tenants for both properties will be carefully selected so their parking needs are compatible with the amount of parking spaces available.

Mayor Nations stated that, on behalf of the community, he is delighted to see Busch-Strutman's continuing interest in the area and the proposed projects presented.

Commissioner Perantoni expressed concern that even if the existing hillside was cut into, it would not allow enough room for the extra parking now required under the Ordinance and felt that the area should be preserved. Ms. Strutman pointed out that the hillside is extremely steep.

SPEAKERS IN FAVOR:

1. Mrs. Terry Wunderlich, Chesterfield Historical Commission, 16 Fox Hunt Drive, Chesterfield, MO 63017 stated the following:
 - She and her husband are co-chairs of the Chesterfield Historical Commission.
 - The Historical Commission enthusiastically supports the proposed project and voted unanimously to accept it.
 - The Historical Commission feels that Lauren Strutman is a superior architect and is an authority in this part of the county on historical architecture.
 - The Historical Commission finds no negatives in the plans submitted.

Mayor Nations expressed his thanks to Mr. & Mrs. Wunderlich for all their work in the community. He noted that they have contributed countless hours to the community.

2. Mr. Dan Rothwell, 15720 Callender Court, Chesterfield, MO 63017 stated the following:

- He is chair of the Landmarks Preservation Commission and a member of the Historical Commission, but is speaking as an individual.
- He supports the proposed re-zonings of the two addresses.
- He feels the proposal preserves the historical nature of the subject site.
- He applauds Lauren Strutman for her continued efforts in restoration work in the area and making structures available for re-use.

Mayor Nations expressed his appreciation to Mr. Rothwell for all the work he has done for the community. He noted that Mr. Rothwell ~~is~~ **was** the first ~~and only~~ chairman of the Landmarks Preservation Committee for Chesterfield and that he has authored books on Chesterfield's history.

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES (All issues expressed pertained to both proposed parcels):

- Find out the likely tenants or intended uses given that the requested zoning, as listed, is a wide-ranging set of potentially retail uses.
- Since the Commission is tasked with good planning, insure that it is not unintentionally creating a precedent for someone else to come along and ask for this without the Commission knowing.
- With the two parcels combined, the request is for a reduction of 25% in the parking spaces currently required. Is this good planning without some other restriction to the uses requested?
- How many private residences and commercial uses are there on the subject street?
- Is either of the residences being used as a private residence now? Clarification that they will not be used as private residences in the future if the zoning is approved.
- One of the requested uses is film processing. As we move away from analog film to digital photo processing, does that definition need to be expanded or amended?
- Regarding the sidewalks in the area, what is happening at the other end of the street?
- If there aren't sidewalks, is it appropriate for this given the historical area?
- Regarding the parking allocated at the front of the house for parking, how will landscaping being handled? How much of this are we trying to preserve as a residential look vs. a business look with historic buildings? How is that blending together – the look and the feel with parking, landscaping and sidewalks?

- Concern was expressed regarding the City's procedures and what is required. If this is treated as a new property where the City can mandate what trees and what percentage of green space are required in the front, it prohibits the ability to keep the character of this neighborhood, which is very flat and very urban. If the City mandates the required number of parking places, concern was expressed that the garages would have to be destroyed.
- Regarding the request to look at other houses on the street and the issue of parking, figure out how many square feet are in the remaining residential houses. Maybe do a comparison – if everyone goes eventually to the PC with the LPA, would every one have to have reduction in the required parking? Instead of setting a precedent, the City would know what to expect to happen along the whole street.

Commissioner Perantoni read the closing comments for Public Hearings noting that the earliest possible date that the Commission could vote on the subject petitions would be February 14, 2005.

V. APPROVAL OF MEETING MINUTES

Commissioner Macaluso made a motion to approve the minutes of the December 13, 2004 Meeting as typographically corrected below: (Page 7, Item IX.B. – Miscellaneous – last sentence)

Commissioner Macaluso felt the meeting ~~she~~ should be held as soon as possible after the New Year.

The motion was seconded by Commissioner Perantoni and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT

1. Mr. Geoff Yothers, Casco Engineers and Architects, 10877 Watson Road, St. Louis, Missouri speaking **in favor** of **P.Z. 27-2004 THF Chesterfield Three Development (Home Depot)** stated that he was available for any questions from the Commission.

Commissioner Macaluso noted that the Staff Report indicates that the identical language used for Lowe's outdoor storage would, for the most part, be acceptable for The Home Depot's outdoor storage. However, Commissioner Macaluso pointed out Lowe's has requested more square footage than The Home Depot and asked Mr. Yothers if he would be agreeable to the amendment using language to reflect the actual square footage being requested by The Home Depot, which is nearly 3,000 sq. ft. Mr. Yothers replied that he would be in agreement with such language.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **Long Road Crossing:** A request for approval of a Sign Package for an approximately 23-acre tract of land, zoned "PC" Planned Commercial District, and located on the north of Chesterfield Airport Road, west of Long Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Sign Package as presented. The motion was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0.**

- B. **Towne Center, Lot 5:** Site Development Section Plan, Landscape Plan, Architectural Elevations and Lighting Plan for a 6,001 square foot retail building located on an approximately .792-acre lot in a "PC" Planned Commercial District within the Towne Center development, on the west side of Long Road, south of Edison Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Landscape Plan, Architectural Elevations and Lighting Plan as presented. The motion was seconded by Commissioner Broemmer and **passed by a voice vote of 8 to 0.**

- C. **Chesterfield Commons West Plat One:** A record plat for an approximately 17.226 acre tract of land, zoned "P.I." Planned Industrial, located South of Chesterfield Airport Road and West of RHL Drive.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Record Plat as presented. The motion was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0.**

- D. **Chesterfield Commons West Plat Two:** A record plat for an approximately 29.637 acre tract of land, zoned "P.C." Planned Commercial, located South of Chesterfield Airport Road and West of RHL Drive.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Record Plat as presented. The motion was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0.**

VIII. OLD BUSINESS

- A. **P.Z. 13-2004 Vision Ventures LLC and Plan Provision LLC (Wildhorse Executive Center LLC):** A request for rezoning from “NU” Non-Urban to “PC” Planned Commercial district for a 10.243-acre parcel located north of Wild Horse Creek Road, approximately 500’ west from Wildhorse Parkway. Locator Numbers (18V51-0040, 18V51-0095, 18V51-0017)

Chairman Sherman stated this petition has been withdrawn. A fax had been received January 7, 2005 from George Stock, Stock & Associates, representing the developer, stating the following:

It has been brought to our attention that the residents wish more time to review our submission of the Wildhorse Executive Project.

Therefore, on behalf of the owners, we are withdrawing our Petition from the 1/10/05 Meeting and will resubmit for the 1/24/05 Planning Commission Meeting.

Chairman Sherman noted that the Issues Meeting will be held at the Commission’s next meeting of January 24, 2005.

- B. **P.Z. 27-2004 THF Chesterfield Three Development (Home Depot):** A request for an amendment to City of Chesterfield Ordinance 1624 to allow for seasonal outdoor sales and storage at the easternmost anchor of Chesterfield Commons West from March 15th until October 15th of each year. (17U-22-0080)

Senior Planner Anissa McCaskill-Clay stated the following:

- The public hearing for this petition was held on December 13, 2004 resulting in four issues:
 1. Clarify the length of the area to be utilized. The petitioner wishes to use a 16’ wide by 186’ long area in the space in front of the Garden Center, which is also striped for loading. This is a square footage of 2,976 sq. ft. – smaller by 24 sq. ft. than what Lowe’s had requested.
 2. Clarify the types of materials to be sold. The materials to be stored and displayed in the outdoor area are plant materials, potting soil, topsoil and mulch.
 3. Clarify the specific language to be used to define what is allowable. Will the language used in Lowe’s amendment be sufficient? The only thing the petitioner said would not be sufficient is “subparagraph e” stating “*The privacy fencing shall be extended from the rear to the western portion of the fenced area.*” This paragraph is not applicable because the entire Garden Center area is fenced.

4. Will cash registers be brought outside? Will sales be made outside? The petitioner has responded that cash registers will not be located outside and that all sales transactions will be conducted from the current register locations.
- All four issues have been addressed from Staff's point of view.

Commissioner Broemmer made a motion to suspend the rules to vote on **P.Z. 27-2004 THF Chesterfield Three Development (Home Depot)** at this meeting as opposed to the January 24, 2005 meeting. The motion was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0.**

Commissioner Macaluso asked Mr. Geoff Yothers, Casco Engineers and Architects, if he had any reservations with a vote being taken at this meeting. Mr. Yothers agreed to a vote at this meeting.

Mr. Yothers then referred to the wording in the title of the petition and clarified the point about "the **easternmost** anchor" whereas The Home Depot is actually the **westernmost**. Senior Planner McCaskill-Clay stated that as it is currently shown on the plan as to what is built, there is nothing there, so it's eastern and westernmost. However, this can be clarified that it is the westernmost inasmuch as there won't be any more anchors on this particular development.

Commissioner Macaluso made a motion to amend Chesterfield Ordinance 1624 as follows:

*The use listed in A(8) above shall be limited to the **western-most** anchor store of Chesterfield Commons, directly east of RHL Boulevard for the period of March 15th until October 15th of each year and the following shall also apply:*

- a. *The area to be utilized for seasonal outdoor storage shall be limited to **3,000 sq. ft.** as delineated on the attached Exhibit A.*
- b. *(Wording shall remain the same)*
- c. *(Wording shall remain the same)*
- d. *(Wording shall remain the same)*
- e. *(Wording shall be eliminated)*

Under "Permitted Uses", add:

Outdoor seasonal storage

The motion was seconded by Commissioner Broemmer.

Upon roll call, the vote was as follows:

**Aye: Commissioner Asmus, Commissioner Banks,
Commissioner Broemmer, Commissioner Hirsch,
Commissioner Macaluso, Commissioner Perantoni,
Commissioner Sandifer, Chairman Sherman**

Nay: None

The motion passed by a vote of 8 to 0.

IX. NEW BUSINESS

A. With respect to P.Z. 13-2004 Vision Ventures LLC and Plan Provision LLC (Wildhorse Executive Center LLC), the following issues were added:

- Commissioner Macaluso stated that the Rockwood School District is considering the possibility of putting in a left-hand turn lane into Chesterfield Elementary School when funds are available. She asked if the Department could research to determine if part of the School District's proposed bond issue allocates funding for such a turn lane.
- Commissioner Banks asked if it would it be possible to require the developer of the bowtie area to put in a left-hand turn lane as part of his development.

B. Commissioner Broemmer asked that the meeting for reviewing the Permitting and Construction Process be scheduled as soon as possible. City Attorney Beach stated this meeting should establish procedures to formalize the process.

X. COMMITTEE REPORTS:

A. **Committee of the Whole - None**

B. **Ordinance Review Committee**

Commissioner Banks stated that the next meeting of the Ordinance Review Committee will be scheduled for January 24, 2005, tentatively at 3:00 p.m., but may be later right before the Site Plan Committee. A notice will be posted when the time is confirmed.

Commissioner Macaluso asked if the Tree Ordinance is in effect yet. Planning Director Teresa Price replied that it is in effect and stated the Planning Commissioners will be receiving an updated

Zoning Ordinance, which will include the new Lighting Ordinance, the Tree Ordinance, etc.

- C. Architectural Review Committee - None**
- D. Landscape Committee - None**
- E. Comprehensive Plan Committee - None**
- F. Procedures and Planning Committee - None**
- G. Landmarks Preservation Commission - None**

XI. ADJOURNMENT

The meeting adjourned at 8:12 p.m.

Lynn O'Connor, Secretary