

CORRECTED

PLANNING COMMISSION OF THE CITY OF CHESTERFIELD AT CHESTERFIELD CITY HALL FEBRUARY 9, 2004

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

I. PRESENT

ABSENT

Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. B. G. Wardlaw
Chairman Victoria Sherman
Mr. Doug Beach, City Attorney
Mayor John Nations
Ms. Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill-Clay, Senior Planner
Mr. David Bookless, Project Planner
Mr. Kyle Dubbert, Project Planner
Mr. Mike Hurlbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Joyce Collins-Catling, Executive Secretary

II. INVOCATION: Commissioner Perantoni

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Mayor John Nations; Councilmember Mike Casey (Ward III); Councilmember Bruce Geiger (Ward II); Councilmember Connie Fults (Ward IV); and Council Liaison Mary Brown (Ward IV).

IV. PUBLIC HEARINGS:

Commissioner Hirsch read the first portion of the ‘Opening Comments.’”

- A. **P.Z. 37-2003 THF Chesterfield Commons Six**: a request for the following amendments to St. Louis County Ordinance 13, 933, governing a “C-8” Planned Commercial located on the north side of Chesterfield Airport Road, west of the intersection of Boone’s Crossing and Chesterfield Airport Road (17U520083):

To permit drive-through restaurants on the outparcels along Chesterfield Airport Road.

To allow a height of thirty-nine feet for light poles exclusive of the three-(3)-foot base of the pole.

Senior Planner Anissa McCaskill-Clay gave both an overview and powerpoint presentation of subject site and proposed amendments.

Mr. Mike Doster, Speaker presenting for the Petitioner, presented the following:

- Powerpoint showing existing development of Chesterfield Commons Six, East, Chesterfield Commons, Chesterfield Commons West, and River Crossings (immediately adjacent to Chesterfield Commons Six)
- Other area ordinances allow fast food restaurants with drive-throughs
- Only requesting authority to have drive-throughs for Outparcels 1, 2, 3, & 4
- Also requesting light standards for the entire 20-acre site (including Outparcels 1, 2, 3, 4, 5, 6, & 7) be the same as those imposed on Chesterfield Commons East

ISSUES

- The number of fast food restaurants possibly proposed in the Outparcels
- Comparison of other properties north of Chesterfield Airport Road with those south of the Interstate in the area
- Comparison of light standard heights of the proposed ordinance amendments with Chesterfield Commons, Chesterfield Commons East and West
- Possible traffic patterns on sites, specifically cross access between parcels
- Comparison to River Crossing light requirements
- Comparison of light structures to McBride & Sons development
- The number of fast food restaurants in the area

- Any light standard deviations in the area (besides Bluestone Commons, the Car Wash, and the Mobil Gas Station which are lower)

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Commissioner Hirsch read the next portion of the ‘Opening Comments.’

- B. P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreens):** a request for the following amendments to City of Chesterfield Ordinance 1595 for a 23.0 acre “PC” Planned Commercial District located at the northwest corner of the intersection of Long Road and Chesterfield Airport Road (17U410027):

Attachment A, § II, Floor Area, Height and Building Requirements, A(5): East Retail may be separated into two lots with one building on each lot. East Retail buildings shall not exceed one (1) story and 21,900 square feet in gross floor area.

Attachment A, § II, Floor Area, Height and Building Requirements,(B): The development shall not exceed a maximum of seven (7) buildings.

Attachment A, § VII, Specific Criteria, C. Access (3): No direct access will be granted to Route 40/64 or Long Road except for one “right-in/right out” access point from Lot 4 to Long Road.

Senior Planner Annissa McCaskill-Clay gave both an overview and an powerpoint presentation of the subject site.

Mr. Terry Barnes, representing Chesterfield Airport Acquisitions, requests that Lot 4 be split into 2 lots, and into 2 buildings (19,000 square feet total); and a deed swap access onto Long Road (Lot 4) related to MODOT.

Ms. Julie Nolfo, Traffic Operations Engineer with CBB, stated that her firm conducted a traffic count for the proposed Walgreens site. Based on their counts, 90 trips would be generated in the mornings, and 160 trips in the afternoon.

Based on the Walgreens market (convenience oriented), 50% - 70% of those trips will be from patrons already in the area. No significant impact on levels of service at Chesterfield Airport Road and Long Road. The interruption of service with the right in/right out would be very minimal.

COMMENTS/DISCUSSION

Chairman Sherman inquired about who gave permission to swap access with regards to Long Road.

Commissioner Hirsch asked what studies have been done on what the traffic is doing when decelerate occurs off the interstate, next to the row of right in/right out.

Mr. Doug Beach asked if the “diamond interchange” future of this location had been taken into account in this study.

Commissioner Macaluso stated that the intersection at Chesterfield Airport Rd and Chesterfield Business Parkway is now at a level “F”. She inquired if this would get continually worse with more development.

Commissioner O’Connor asked how do you determine the amount of traffic crossing the lanes, and due to the continuous development of this area, will this right in/right out become more attractive for cut-throughs.

Commissioner Banks stated that the Department of Planning should take a look at the minutes of the original zoning to see what issues were raised regarding access.

ISSUES:

- Cars backing out of parking lot
- Other properties asking for similar access
- Swap of access of one side of Long Rd to the other
- Deacceleration from the highway
- Amount of weaving necessary to exiting the highway in/out of site continuing onto Chesterfield Airport Road or Long Road
- Proposed use of Building B and it’s proposed impact on the site
- Possibility of the site being used as a cut-through to avoid Interstate traffic
- Total square footage for both buildings on the parcel
- Does traffic study address future interchange improvements
- Exit speed for ramp
- Review of original zoning issues

Senior Planner McCaskill-Clay stated that the Public Works Department has not made a final decision on the traffic study, and is currently reviewing it.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Commissioner Hirsch read the closing portion of the ‘Opening Comments.’

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the January 26, 2004 Meeting Minutes. The motion was seconded by Commissioner Wardlaw and **passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT -

1. Mr. Michael Mindlin, 33 Plant, St. Louis, MO, speaking in favor of **P.Z. 11-2003 Capitol Land Company:**
 - Speaker stated that the ~~perapit~~ **parapet** in the back of the bookstore, Building B, have been lowered approximately 3-1/2 feet.
2. Ms. Diane Unger, 26 Baxter Lane, Trustee of Baxter Lane on behalf of the residents of Baxter Lane, speaking in neutral of **P.Z. 11-2003 Capitol Land Company:**
 - Speaker stated that the residents of Baxter Lane are pleased with the final outcome of the neighborhood friendly appearance of the “Talbot’s Buildings.”
 - Speaker request that great consideration be given to the size, placement, exterior appearance, buffer, and landscaping on any future development south of Talbot’s. These particular parcels of commercial land would directly impact resident’s homes.
3. Jade Gardner Bute, 15593 Bedford Forge Dr, Chesterfield, MO, speaking in neutral of **P.Z. 11-2003 Capitol Land Company:**
 - Speaker stated that she sent a letter in September to the Planning Commission asking that consideration be given to tree preservation, residential character, bookstore size, parking space, and room space
 - Speaker asked for the status of the tree preservation ordinance review

- Speaker stated that her letter requested that the permitted use of animal hospitals, veterinary clinics and kennels be removed, allow for cross access to two lots south of project to avoid land lock when future rezoning is considered, and no construction access or parking be permitted on Old Baxter.

Mayor Nations addressed the issue regarding land lock stating that this has been addressed to make sure this doesn't happen.

Commissioner Macaluso addressed the issue regarding permitted uses stating that the Petitioner has removed the animal hospital, clinic, and kennel. She also addressed the issue regarding tree preservation stating that the committee continues to make huge strides, and are currently working on a tree preservation plan.

4. Mr. Dolan Heard, Lowes Chesterfield Valley, speaking in favor of P.Z. 24-2003 THF Chesterfield Development LLC (The Commons) available to address any questions regarding this project

Commissioner Macaluso asked if the rental trucks will be parked in the same area requested for outdoor sales during operating hours.

- The speaker stated that the trucks will be parked in the back of the building.

Commissioner O'Connor expressed concern relating to barbeque grills also located outside along with plants and trees.

Chairman Sherman stated that the language in the specification regarding ~~in the specification will be addressed.~~ **items to be displayed will be reviewed for clarity.**

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- 14691 Clayton Road (Susan Daigle CSP):** A Site Development Plan for a Commercial Service Procedure (CSP) on a 1.0-acre tract of land, zoned as an "E-One Acre" Estate District, located at 14691 Clayton Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve a Site Development Concept Plan for **14691 Clayton Road (Susan Daigle CSP)**. The motion was seconded by Commissioner Banks and **passes by a voice vote of 9 to 0.**

- Larry Enterprises and Lynch Hummer Record Plat:** A Record Plat for a 74.319 acre tract of land in part zoned "PI" Planned Industrial and in

part zoned "FPNU" Flood Plain Non-Urban, located north of U.S. Highway 40-61, west of Boone's Crossing, and east of Long Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve a Record Plat for **Larry Enterprises and Lynch Hummer Record Plat**. The motion was seconded by Commissioner Banks and **passes** by a voice vote of **9 to 0**

- C. **Chesterfield Hollow**: An Amended Site Development Plan for property in the Planned Environment Unit (PEU) "R-2" 15,000 square foot residence district for an 8.07 acre tract of land located on the east side of Olive Boulevard, north of Ladue Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve an Amended Site Development Plan for **Chesterfield Hollow**. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of **8 to 1**

VIII. OLD BUSINESS –

- A. **P.Z. 11-2003 Capitol Land Company**: a request for a change of zoning from a "C-8" Planned Commercial District to a "PC" Planned Commercial District for 6.494 acre tract of land located north of Lea Oaks Drive, east of Clarkson Road, west of Old Baxter Road, and south of Chesterfield Parkway East. (Locator Numbers: 19S420349, 19S420404, 19S420305, 19S440512, 19S440161, 19S420130).

The requested amendment is to allow the following permitted uses:

- (b) Animal hospitals, veterinary clinics, and kennels.
- (e) Associated work and storage areas required by a business, firm, or service to carry on business operations.
- (g) Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
- (h) Barber shops and beauty parlors.
- (i) Bookstores.
- (o) Dry cleaning drop-off and pick-up stations.
- (q) Film drop-off and pick-up stations.
- (s) Financial institutions.
- (w) Local public utility facilities, provided that any installation, other than poles and equipment attached to poles, shall be:
 - (i) Adequately screened with landscaping, fencing, or walls, or any combinations thereof; or
 - (ii) Placed underground; or

- (iii) Enclosed in a structure in such manner so as to blend with and complement the character of the surrounding area.
- (x) Medical and dental offices.
- (y) Offices or office buildings.
- (cc) 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.
- (dd) Police, fire, and postal stations.
- (ee) Public utility facilities.
- (ii) Restaurants, sit down,
- (pp) Permitted signs (see Section 1003.168 'Sign Regulations').
- (tt) Stores, shops, markets, service facilities and automatic vending machines in which goods or services of any kind, including indoor sale of motor vehicles, are offered for sale or hire to the general public on the premises.

The following use listed above is excluded:

- (tt) Indoor sale of motor vehicles.

Project Planner Michael Hurlbert gave an overview of **P.Z. 11-2003 Capitol Land Company**

Commissioner Macaluso made a motion to approve Attachment A of **P.Z. 11-2003 Capitol Land Company** as amended below. The motion was seconded by Commissioner Hirsch.

Commissioner Macaluso made a motion to create a new section called ***“Public Art”*** reading: ***Reserve an area for the display of work of art so long as the art to be displayed is mutually agreed upon by the City of Chesterfield and the petitioner.*** The motion was seconded by Commissioner Hirsch.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O’Connor, yes; Commissioner Perantoni, no; Commissioner Wardlaw, yes; Chairman Sherman, yes.

The motion passes by a vote of 8 to 1.

Commissioner Macaluso made a motion to create a new section called ***“Tree Protection Plan”*** reading: ***Prior to grading, Tree Protection Plan shall be submitted to City of Chesterfield to determine measures necessary to preserve and protect sugar maple trees located to the rear of construction area as per 4-S Tree Consulting letter dated November 6, 2003.*** The motion was seconded by Commissioner Banks.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Chairman Sherman, yes.

The motion passes by a vote of 9 to 0.

Commissioner Macaluso made a motion to reduce green space to 35.4% unless MODOT right-of-way is acquired, in which case it shall be 37.5% as directed by the City of Chesterfield, and reduce parking to 4.5 spaces per 1000 square feet. The motion was seconded by Commissioner Hirsch.

Upon a roll call the vote was as follows: Commissioner Banks, no; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, no; Commissioner Wardlaw, yes; Chairman Sherman, yes.

The motion passes by a vote of 7 to 2.

Commissioner Macaluso made a motion to add to the Access section the following words: *including the Voelpel Tract* right after the words: **adjacent properties**. The motion was seconded by Commissioner Banks.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Chairman Sherman, yes.

The motion passes by a vote of 9 to 0.

Upon a roll call the vote to approve Attachment A with amendments was as follows: Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, no; Commissioner Wardlaw, yes; Chairman Sherman, yes.

The motion passes by a vote of 8 to 1.

- B. P.Z. 24-2003 THF Chesterfield Development LLC (The Commons): a request for an amendment to City of Chesterfield Ordinances 1600 and 1627 to allow for seasonal outdoor sales and storage at Lowe's and Wal-Mart stores in Chesterfield Commons from March 15th until October 15th of each year.(17T140121)

Senior Planner Annissa McCaskill-Clay **P.Z. 24-2003 THF Chesterfield Development LLC (The Commons)** gave an overview stating that this is strictly for Lowe's allowing stated uses for seasonal sales from March 15th until October 15th of each year. There were several issues brought forth during the September 8th Public Hearing, but one specific issue raised during public comment regarding trucks parked in the rear, currently there is no designated parking in the back.

Commissioner Banks recommended the language needs to be clarified in the ordinance regarding outdoor storage requirements.

Chair Sherman stated that Planning Commission will not vote on this project tonight.

- C. **P.Z. 30-2003 City of Chesterfield (Medical Use District)**: A request to amend the City of Chesterfield Zoning Ordinance for the establishment of Section 1003.127 creating a Medical Use District.

Project Planner Kyle Dubbert gave an overview of **P.Z. 30-2003 City of Chesterfield (Medical Use District)** stating that this is a vote meeting regarding this project.

Commissioner Macaluso made a motion to table **P.Z. 30-2003 City of Chesterfield (Medical Use District)** until the City Attorney and the Ordinance Review Committee had time to review. The motion was seconded by Commissioner Broemmer and **passes by a voice vote of 9 to 0.**

The motion passes by a vote of 9 to 0.

IX. NEW BUSINESS –

X. COMMITTEE REPORTS:

- A. **Committee of the Whole**
- B. **Ordinance Review Committee**
- C. **Architectural Review Committee**

- D. Landscape Committee**
- E. Comprehensive Plan Committee**
- F. Procedures and Planning Committee**
- G. Landmarks Preservation Commission**

The meeting unanimously adjourned at 9:00 p.m.

B. G. Wardlaw, Secretary