

**PLANNING COMMISSION  
OF THE CITY OF CHESTERFIELD  
AT CHESTERFIELD CITY HALL  
FEBRUARY 12, 2018**

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

**I. ROLL CALL**

**PRESENT**

Commissioner Wendy Geckeler  
Commissioner Allison Harris  
Commissioner Laura Lueking  
Commissioner John Marino  
Commissioner Debbie Midgley  
Commissioner Mary Monachella  
Commissioner Steven Wuennenberg  
Chair Merrell Hansen

**ABSENT**

Commissioner James Rosenauer

Mayor Bob Nation  
Councilmember Dan Hurt, Council Liaison  
Mr. Jay Godsy, representing City Attorney Christopher Graville  
Mr. Justin Wyse, Director of Planning & Development Services  
Ms. Jessica Henry, Senior Planner  
Ms. Cassandra Harashe, Project Planner  
Mr. Mike Knight, Project Planner  
Ms. Mary Ann Madden, Recording Secretary

Chair Hansen acknowledged the attendance of Mayor Bob Nation; Councilmember Dan Hurt, Council Liaison; Councilmember Barbara McGuinness, Ward I; Councilmember Guy Tilman, Ward II; and Councilmember Michelle Ohley, Ward IV.

**II. PLEDGE OF ALLEGIANCE**

**III. SILENT PRAYER**

**IV. PUBLIC HEARINGS – Commissioner Wuennenberg read the “Opening Comments” for the Public Hearing.**

- A. P.Z. 22-2017 Clarkson Center (2264 Clarkson Road): A request for a zoning map amendment from a “R2” Residence District (15,000 square foot minimum) and “C-8” Planned Commercial to a “PC” Planned Commercial District for 0.9 acres located on the southern corner of the intersection of Clarkson Road and Clarkson Woods Drive. (20T610716).**

## **STAFF PRESENTATION:**

Project Planner Cassie Harashe gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Harashe then provided the following information about the subject site:

### **Site History**

Clarkson Woods subdivision, Clarkson Center, and the subject site total 143 acres and were zoned through three sequential ordinances in 1972, as noted below:

- St. Louis County Ordinance No. 6226 zoned the combined 143 acres to “R2” Residence District from “NU” Non-Urban;
- St. Louis County Ordinance No. 6227 zoned Clarkson Center to “C-8” Planned Commercial District; and
- St. Louis County Ordinance No. 6228 approved a Planned Environmental Unit Plan for the Clarkson Woods Subdivision, which included the subject property.

Clarkson Woods never developed under the Planned Environmental Unit permit—abandoning Ordinance 6228—and instead developed under St. Louis County’s *Density Development Procedure*, leaving the subdivision and subject property with the “R-2” zoning designation. As the Clarkson Woods subdivision was platted, the subject site was omitted and never became a part of the Clarkson Woods subdivision.

The larger Clarkson Center lot was platted to create two separate legal lots in 1987. The subject site was named Lot 2, and was called out for future development. When this split happened, the lot lines did not line up with the zoning district boundaries of the “R2” and “C8” zoning districts, leaving the subject site with a portion zoned “C8” and a portion zoned “R2”. In 2001, a Zoning Map Amendment petition was filed to change the zoning from “R2” Residence District to “PC” Planned Commercial District, but no action was ever taken on the request and the subject site remains undeveloped.

### **Comprehensive Land Use Plan**

The Comprehensive Land Use Plan designates the subject site as *Residential Single Family*. The Petitioner’s request to establish a Planned Commercial District is in conflict with the Comprehensive Plan’s land use designation. The Petitioner is aware of this conflict and is amenable to restrictions within the site-specific ordinance to develop the subject site in a manner that provides a transition between the exiting residential and retail uses.

### **Preliminary Plan**

The site will utilize an existing drive aisle from Clarkson Woods Drive to Clarkson Center; no new access points are proposed. The Preliminary Plan shows one building situated along the southern property line.

The applicant is requesting a reduction in the required 30’ landscape buffer along Clarkson Road. This reduction is consistent with the Clarkson Wilson Center to the south, which has an approximately 10’ landscaper buffer containing a single hedge row.

## Requested Uses

1. Administrative Offices for Educational or Religious Institutions<sup>2</sup>
2. Art Gallery
3. Art Studio
4. Kindergarten/nursery school<sup>2</sup>
5. Laboratory-professional/scientific<sup>1</sup>
6. Office-Dental
7. Office-General
8. Office-Medical
9. Retail sales-community<sup>2</sup>
10. Retail sales-neighborhood<sup>2</sup>
11. Veterinary Clinic

<sup>1</sup>The *Laboratory-professional/scientific* use is only permitted in the Valley and will have to be removed from the request.

<sup>2</sup>Due to the proximity of the subject site to residential and in order for this use to serve as transitional, Staff recommends eliminating the following uses:

- Administrative Offices for Educational or Religious Institutions
- Kindergarten/nursery school
- Retail sales-community
- Retail sales-neighborhood

## Items for Discussion

- Uses to be included in the draft Attachment A
- Petitioner's request for a reduction in the landscape buffer
- Addressing the request in comparison with the Comprehensive Plan
- Architectural Design Requirements
- Obtaining any outstanding agency comments

## Discussion

During discussion, the following items were reviewed and clarified, as necessary:

### Landscape Buffer

The existing landscape buffer along Clarkson Road is approximately 10 feet wide with a single hedge row.

### Hours of Operation

Hours of operation are only restricted for retail uses. It is Staff's recommendation that the retail uses be removed from this request. If retail uses are included, Staff would request direction from the Commission on desired hours of operation.

### Uses and Comprehensive Plan

Chair Hansen noted for the record that the request is in conflict with the Comprehensive Plan, which designates the site as *Residential Single Family*.

Regarding the requested *Veterinary Clinic* use, Ms. Harashe provided the definition as defined in the City's Unified Development Code:

An establishment for the care and treatment of the diseases and injuries of animals and where animals may be boarded during their convalescence.

Ms. Harashe explained that the *Veterinary Clinic* use is distinctly different from a *Kennel* use in that boarding would only be permitted for animals during convalescence. Additionally, it is Staff's understanding that there would not be any outside areas for animals connected with the clinic.

It was noted that grooming could be permitted within the clinic as an ancillary or accessory use.

#### **Planned Environmental Unit Plan**

Mr. Justin Wyse, Director of Planning and Development Services, explained that the permit for a Planned Environmental Unit approved in 1972 for Clarkson Woods subdivision expired and the subdivision was developed under St. Louis County's *Density Development Procedure*. Ms. Harashe added that when Clarkson Woods subdivision was developed under the *Density Development Procedure*, the subject site was not included in the subdivision's density calculation. In addition, the subject site was never platted as part of the Clarkson Woods subdivision.

#### **PETITIONER'S PRESENTATION:**

**Dr. Doug Pernikoff**, 32 Clarkson Wilson Center, Chesterfield, MO.

Dr. Pernikoff stated that he has been serving the community for 23 years and that a number of Clarkson Woods' residents are his clients. He pointed out that the proposed building is situated to the south, away from the road, and adjacent to the back doors of the existing retail center.

Dr. Pernikoff stated that he feels the requested commercial zoning is appropriate as he does not think anyone would consider building a residential home on the site. He sees this as a good opportunity to develop the site with something that is attractive and complements the community.

#### **Sensitivity Points**

Dr. Pernikoff then addressed the following issues, which he noted as being sensitive points for the Clarkson Woods subdivision:

##### Traffic

A trip generation chart demonstrates that traffic would remain neutral with the possibility of a few additional cars moving in and out of the site during the morning and evening hours.

##### Grooming

Some grooming services may be provided but there will not be any boarding services.

##### Hours of Operation

Hours of operation are anticipated to be from 7:30 a.m. to 6:30 p.m.

### Lighting

There are currently 3-4 street lights along the easement which will remain. Proposed lighting in connection with any building would be very subdued.

### Monument Structure

There is no intention to remove the existing monument sign.

### Noise

The clinic will not have any outside activities so no noise will be generated from such.

### **Development Intent**

Dr. Pernikoff then provided information about the proposed development, which would include:

- Enhanced Plantings & Berms - *A planting design has been prepared for the site, which includes the addition of tall, thin evergreen trees along the westernmost portion of the site, which will screen the Kennelwood property. A berm border is also intended to be planted along the entire east margin.*
- Professional office building
- Limited hours of 7:30 AM-6:30 PM
- Subdued lighting
- Innocuous building placement
- Inside services only
- Noise reduction construction
- Single ingress/egress
- Traffic neutral

Dr. Pernikoff presented a building concept of a residential-style prairie home but stressed that it is only conceptual at this time.

Dr. Pernikoff also stated he is available to meet with any of the residents to discuss any concerns.

### **Discussion**

Commissioner Geckeler referred to Dr. Pernikoff's building concept stating that she thought the building was to be a one-story structure. Dr. Pernikoff explained that it is designed as one-story but appears taller because the front of the building has a cap, which is approximately 4-6 feet above the first story. He noted that the height is well within the City code requirements.

**SPEAKERS IN FAVOR:** None

### **SPEAKERS IN OPPOSITION:**

1. **Ms. Joy Dakich**, 16093 Meadow Oak Drive, Chesterfield, MO.

Ms. Dakich stated that her home borders the shopping center and noted her concerns as follows:

- Unknown use of the building if the veterinary clinic does not utilize it.
- Noise – Speaker noted that there is noise from dogs visiting the current clinic.

- Trucks and school buses are currently parking in the entryway leading into the shopping center.
- Increased traffic.
- Building concept does not appear to be one-story or comparable to the residences within Clarkson Woods.
- Concerns about the future because promises made with the existing shopping center regarding uses were not always kept.
- A *General Office* use has the potential of generating more traffic, especially during the morning and evening hours. She would like the uses limited to veterinary clinic, or medical/dental offices.

## **Discussion**

### **Uses**

Commissioner Lueking explained to Ms. Dakich that the uses for the subject site are very limited compared to Clarkson Wilson Center which had a C-8 zoning allowing retail and many other uses.

### **Parking**

Ms. Dakich questioned how many parking spaces are permitted for the site. Ms. Harashe stated that parking spaces are not called out on the Preliminary Plan because the specific use is not always known. The Unified Development Code calculates parking based on the use and square footage of the building. It was noted that a data table on the conceptual drawing indicates 31 spaces.

Mr. Wyse explained that whenever there is a change in use in a commercial property, the applicant is required to submit a Re-Occupancy Permit and a Business License which are reviewed by the planning staff. If the use increases the intensity of parking, the site is reviewed to ensure it meets the City's minimum requirements. If it does not meet the requirements, it will not be approved.

2. **Dr. Dennis Ganahl**, 15979 Woodlet Way Court, Chesterfield, MO – Trustee of Clarkson Woods subdivision.

Dr. Ganahl stated that several years ago the subdivision tried to buy the subject site for common ground, but did not have the necessary funds to do so. He also noted that the existing strip of un-guttered asphalt road leading to Clarkson Woods subdivision gives a poor image for the subdivision.

Dr. Ganahl noted the subdivision's concerns as follows:

- Traffic – There is concern with motorists making left-hand turns out onto Clarkson Woods Drive from the subject site. Speaker noted that there is not a stop sign at the intersection and that there have been a number of accidents in this area. The center island has also had a lot of landscaping problems (tire ruts) over the years from motorists turning onto Clarkson Woods Drive from Clarkson or turning out of the shopping center.
- Concern over how the site may be used in the future
- The amount of parking for the site
- Design of the proposed building – Speaker feels the architecture should be compatible with the adjacent residences.

- Concern over how the developed site will affect the property values of the homes within Clarkson Woods.
- Signage - how it will be designed and lit. *Dr. Ganahl also clarified that the Clarkson Woods' monument sign is not on the subject site.*

3. **Ms. Cindy Barmeier**, 16045 Hunters Way Drive, Chesterfield, MO.

Ms. Barmeier stated that most of her comments have already been voiced by the previous speakers and then noted her primary concerns as follows:

- Traffic - The proposed development would increase the high volume of traffic already coming in and out of the center.
- Number of parking spaces.
- How the development will affect their property values.

Speaker suggested that the traffic along Clarkson Woods Drive be monitored to determine how much traffic is coming in and out.

4. **Ms. Antoinette Hodges**, 16072 Meadow Oak Drive, Chesterfield, MO.

Ms. Hodges noted her concerns as follows:

- Adding a commercial property will be detrimental to the subdivision's home values. As a former realtor, she has had experience with many clients who were not interested in purchasing a home where one had to pass any type of commercial property to get into the subdivision.
- Aesthetic concerns and how it will look – Speaker stated she does not want this at the entrance to her subdivision.

5. **Ms. Karen Marino**, 16050 Hunters Way Drive, Chesterfield, MO. *Ms. Marino passed on speaking.*

6. **Ms. Debbie Rowan**, 16030 Meadow Oak Drive, Chesterfield, MO.

Ms. Rowan noted her concerns as follows:

- Insuring that the building is only one-story in height
- Questioned why the site would not be zoned the same as the shopping center.
- Lighting
- Buffering against Clarkson Woods Drive

### **Discussion**

Councilmember Wuennenberg stated that the uses proposed for the site (*veterinary clinic; office, dental; office, general; and office, medical*) would limit the number of cars coming in and out of the site compared to the retail in the existing shopping center, which includes restaurants and occasional live music. He explained that the proposed uses would eliminate any such activity on the subject site. If there was a future request for such uses, the Applicant would be required to go through the public hearing process.

## **PETITIONER'S RESPONSE:**

Dr. Pernikoff addressed the following issues:

### **Noise**

Regarding the sound issue raised by a previous Speaker, Dr. Pernikoff pointed out that the proposed building would be moved further away from the neighborhood and against a wall.

### **Parking**

He had been advised by Staff not to show parking spaces on the Preliminary Plan because parking is not reviewed at the zoning stage. The proposed berm will screen the parking lot; the tops of cars will be the only thing seen.

### **Ingress/Egress**

He would consider placing traffic bumps in the road as a means of slowing traffic.

### **Trip Generation**

Trip generation on the easement shows approximately 83 daily motions in and out. The proposed building is anticipated to add 5-10 additional trips per day.

### **Signage**

They intend to have signage on the Clarkson Road side of the property and possibly on the building itself.

### **Architectural Design**

The building concept was presented to give an idea of what the structure may look like – but it is just conceptual. It was noted that building designs are not reviewed at the zoning stage and that Dr. Pernikoff is open to meeting with the neighborhood to share his plans at the appropriate time.

### **Traffic Pattern**

Dr. Pernikoff stated that he does not believe the traffic pattern will pose any dangers and that the new building would only add 5-10 new trips/day. He pointed out that his clients would be coming right off Clarkson Road and making an immediate right turn into the site, which he does not feel will be an imposition on the neighborhood.

### **Lighting**

The building lighting will be subdued.

## **Discussion**

### **Trees/Berms**

Commissioner Geckeler inquired about the seven trees that are to be removed from the site and the location of the berms. Dr. Pernikoff replied that the only trees to be removed are right behind the monument because they hide his facility from the intersection. He pointed out that they are also adding trees to the site. The berm will run along the easement road and around the back of the site.

### **Veterinary Business**

Councilmember Hurt requested information about the current practice with respect to number of daily clients and hours of operations. Dr. Pernikoff stated that he generally sees 2-4 clients/hour; pets scheduled for surgery are dropped off early and picked up

before 6:00 pm; workers open the facility at 7:30 am; clients are seen starting at 9:00 am and the clinic closes between 6-6:30 pm.

**ISSUES:**

In addition to issues previously identified by Staff, Ms. Harashe listed the following issues raised during the Public Hearing:

1. Noise
2. Parking
3. Architectural elevations and building height relative to surrounding homes
4. Traffic and safety concerns
5. Property values
6. Landscaping along Clarkson Woods
7. Lighting
8. Buffering
9. Tree removals – specifically the four trees being removed from the eastern side of the property
10. Lack of stop sign at intersection
11. General Office use

Commissioner Lueking stated that the proposed building is 7,500 sq. ft. with a proposed maximum floor area ratio of .19 and asked if this size is comparable for a 0.9 acre site. Mr. Wyse confirmed that it is and indicated that Staff could review it against comparable sites.

Chair Hansen stated that the Commission is in concurrence with Staff's recommendation to remove the following uses:

- Administrative Offices for Educational or Religious Institutions
- Kindergarten/nursery school
- Retail sales-community
- Retail sales-neighborhood

A resident in the audience then asked permission to address the Commission. After consulting with legal counsel, Chair Hansen directed the gentleman to fill out a Speaker's Card and invited him to address the Commission.

**SPEAKERS – NEUTRAL:**

1. **Mr. Peter White**, 16062 Hunter's Way Drive, Chesterfield, MO.

Mr. White provided the following information:

- He was appointed in 1977 as one of the original trustees of the subdivision.
- The subject site was never part of the Clarkson Woods subdivision.
- Regarding the easement along Clarkson Woods Drive, Speaker noted that the subdivision planted the trees within this easement – some of the trees are on the subdivision's property and some are not. The subdivision mowed an approximately 20-25 foot-wide strip, and the owners of the subject 0.9-acre site were responsible for mowing the rest of it.
- The original purpose of the land was intended for a swim and tennis club to be developed through sold shares, but this was never realized.

- An offer was made a number of years ago to purchase the land, but an agreed-upon price could not be reached.
- The subdivision granted an easement across its property so the shopping center could have another curb cut.
- The subdivision pays for service for the three existing street lights on the site.

#### **PETITIONER'S RESPONSE**

Dr. Pernikoff thanked the Commission for allowing him to present his petition and encouraged the residents to call him with any concerns as he is committed to making the project work.

Chair Hansen then thanked the residents for their input in the Public Hearing process and informed them that a vote would not be taken this evening. Residents are invited to attend each of the public meetings scheduled for this petition.

Commissioner Wuennenberg read the Closing Comments for the Public Hearing.

#### **V. APPROVAL OF MEETING SUMMARY**

Commissioner Lueking made a motion to approve the Meeting Summary of the **January 22, 2018 Planning Commission Meeting**. The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 7 to 0 with 1 abstention.** (*Commissioner Wuennenberg abstained.*)

#### **VI. PUBLIC COMMENT**

Mr. Josh Foster, 5091 New Baumgartner, St. Louis, MO representing the Petitioner for **16915 Wild Horse Creek Road (Fienup Farms)** stated he was available for any questions.

#### **VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS**

- A. **16915 Wild Horse Creek Road (Fienup Farms)**: A Site Development Plan, Landscape Plan, Tree Preservation Plan, and Tree Stand Delineation for 223 acres zoned "PUD" Planned Unit Development located on the north side of Wild Horse Creek Road approximately 3,250 feet east of its intersection with Kehrs Mill Road and 4,400 feet west of its intersection with Baxter Road (18U640049, 18U630028, 18U330454, 17U310093, 17U320070, & 17T110201).

Commissioner Wuennenberg, representing the Site Plan Committee, made a motion recommending approval of the Site Development Plan, Landscape Plan, Tree Preservation Plan, and Tree Stand Delineation for **16915 Wild Horse Creek Road (Fienup Farms)**. The motion was seconded by Commissioner Lueking and **passed by a voice vote of 8 to 0.**

- B. One Chesterfield Place, Amended Sign Package:** A request to amend a Sign Package for One Chesterfield Place, a 6.44 acre tract of land located on the north side of North Outer 40 Road and west of Timberlake Manor.

**Commissioner Wuennenberg**, representing the **Site Plan Committee**, made a motion recommending approval of the **Amended Sign Package for One Chesterfield Place**. The motion was seconded by **Commissioner Harris** and **passed by a voice vote of 7 to 1** with Commissioner Lueking opposed.

**VIII. UNFINISHED BUSINESS - None**

**IX. NEW BUSINESS - None**

**X. COMMITTEE REPORTS - None**

**XI. ADJOURNMENT**

The meeting adjourned at 8:18 p.m.

  
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Steve Wuennenberg, Secretary