

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
March 8, 1999**



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

I. PRESENT

ABSENT

Mr. Fred Broemmer
Mr. Charles Eifler
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Ms. Rachel Nolen
Mr. Jerry Right
Ms. Victoria Sherman
Mr. Allen Yaffe
Chairman Robert Grant
Mr. Douglas R. Beach, City Attorney
Ms. Mary Brown, Council Liaison
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Molly Butler-Dunham, Planner I
Ms. Angela McCormick, Planner I
Ms. Kathy Lone, Executive Secretary/Planning Assistant

II. INVOCATION: Commissioner Sherman

III. PLEDGE OF ALLEGIANCE: All

IV. PUBLIC HEARINGS:

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

Chairman Grant recognized the attendance of Council Liaison Mary Brown (Ward IV).

- A. P.Z. 05-1999 Long Road Crossing: A request for a change in zoning from "M-3" Planned Industrial District to "PC" Planned Commercial District for a 23.0 acre tract of land located at the corner of Long Road and Chesterfield Airport Road.**
- Proposed Uses:
- Animal hospitals, veterinary clinics, and kennels;
 - 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;
- Broadcasting studios for radio and television;
- Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications;
- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- 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;
- Fishing tackle and bait shops. Open storage and display are prohibited;
- Financial institutions;
- Hospitals;
- Hotels and motels;
- 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 and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for 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;
- Mortuaries;
- Offices or office buildings;
- Outpatient substance abuse treatment facilities;
- 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;
- Permitted signs (See Section 1003.168 'Sign Regulations');
- Police, fire, and postal stations;
- Public utility facilities;

- Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, fast food;
- Restaurants, sit down;
- Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles;
- Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture;
- 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, craft-persons, 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;
- 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, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises;
- Vehicle repair facilities for automobiles;
- Vehicle service centers for automobiles;
- Vehicle washing facilities for automobiles;
- or other uses which may be sought under the Chesterfield Zoning Ordinance.

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

Mr. Mike Doster, 16476 Chesterfield Airport Road, Chesterfield, MO 63017, attorney for the petitioner, gave a presentation of the petition:

- Property is 23 acres;
- 4 lots
 - 1 lot -to have two (2) buildings;
 - west hotel - 5 stories, 2.748 acres, 89,600 sq. ft.
 - east hotel - 3 stories, 9.351 acres, 62,000 sq. ft., Extended Stay Hotel
 - 1 lot - west retail - 2.511 acres (20,560 sq. ft.)
 - 1 lot - east retail - 2.454 acres (20,860 sq. ft.)

1 lot – 2-story office building – 2.748 acres – 53,200 sq. ft.
Total: 246,220 square feet

- Petitioner may subdivide property; possibly from four (4) into seven (7) lots; petitioner wants flexibility to move uses around;
- Petitioner will not be asking for parking reduction. If lots are subdivided, parking, setbacks and building size may have to be reduced accordingly;
- Petitioner is asking for three (3) access points along Chesterfield Airport Rd: farthest to the east is a right in/right out, Chesterfield Crossing Drive would be by directional access, farthest west would be right in/right out. The access points are approximately 200 feet apart from each other. There will not be any access along Long Road;
- The storage ponds will comply with the Valley Master Plan. Petitioner does not know whether they will be wet or dry; hopefully, the ponds will be wet;
- Sanitary utilities are available across Chesterfield Airport Road on Chesterfield Industrial Blvd. and the other utilities are available immediately adjacent to the boundary;
- There will be wetlands mitigation to accomplish on the site and the developer is willing and able to do that. The elevation is 474 feet above sea level and approximately 65,000 cubic yards of material will have to be moved to the site to raise it to that level;
- The uses are essentially the uses for the GHH Planned Commercial District. Petitioner does not expect any different uses than hotel, retail and office but wants to retain the flexibility in the Planned Commercial District as requested.

Commissioner Layton stated that he does not think that the plan and the uses are consistent.

Mr. Doster stated the petitioner is trying to follow the same pattern for uses as was used for the GHH development.

Mr. Doster stated that the common ground and the proposed right-of-way were used as part of the calculations for green space. The calculations were approximately 50%, plus or minus. Deleting the right-of-way, the green space would be 35%.

Mr. Joe Grimes, Grimes Consulting, stated that the proposed pond was relocated to accommodate site placement and drainage.

Councilmember Brown asked about the ponds being wet or dry.

Mr. Grimes stated that the purpose of the storage ponds in the Valley is to accommodate water that can back up as the pumps can not pump all the water out at one time. According to the Plan, the

ponds are typically dry. In order to be wet, there are storage requirements. If the ponds were to be wet, there are four feet of storage that have to be provided in the pond. If wet, the normal pool elevation would be below the beginning storage elevation, so the pond could fluctuate up and down four feet. In order for these ponds to be wet, the soil conditions have to be able to retain water.

Commissioner Broemmer stated that wet ponds look better from an aesthetic standpoint.

Mr. Doster stated that he thinks that changing the off ramp at the Long Road interchange may be in the distant future.

Commissioner Eifler questioned why the developer does not know whether the pond will be wet or dry. From an engineer's standpoint, they should take core samplings and determine what part of the site has the proper soil conditions to hold water and then put the detention pond at that location.

Mr. Doster stated that the current placement for the pond is in line with the existing drainage ditch on this property and the property to the west.

Mr. Doster stated that currently the plan shows 250 feet of asphalt between the two hotels. As the plan progresses, there probably will be islands in the parking lot.

Mr. Doster stated that a traffic study had not yet been done on this project. For the entire project, 1,007 parking spaces are required and 1,138 are provided. The petitioner has provided for 131 additional parking spaces than is required.

Commissioner Sherman expressed concern about the access to the rear. The petitioner will take another look at this access.

City Attorney Beach asked the petitioner to provide relative site line distances.

Councilmember Brown expressed concern with the traffic circulation if any of the uses were fast food.

Commissioner Layton stated that the Valley Master Plan is very concerned about the image that Chesterfield presents to I40/64.

SPEAKERS IN FAVOR:

1. Mr. Pete Danna, 1941 Chermore Court, Chesterfield, MO 63017, in favor of P.Z. 05-1999 Long Road Crossing;

- Property owner in the Valley;
- Wants good quality development in the Valley and this property is a key spot as a main entrance;

- Speaker is concerned about stormwater. Water channels down from the prison and parallels the highway;
- Speaker questioned whether there was a plan for overall collection of water;
- Water after heavy rains is a major problem;
- Long Road Crossing sounds like a quality development.

Chairman Grant stated that there is a Chesterfield Valley Master Drainage Plan and every development that is approved must comply with the Plan.

SPEAKERS IN OPPOSITION: - None

SPEAKERS – NEUTRAL: - None

REBUTTAL: - Waived

Commissioner Right read the middle portion of the “Opening Comments.”

- B. **P.Z 06-1999 Gateway Academy**; a request for a change of zoning for two parcels of land located on Wild Horse Creek Road, West of Long Road. Parcel A containing one (1) acre to be rezoned from “R-1” Residential District to “LLR” Large Lot Residential District (Locator Number 18V130099). Parcel B containing 30.9 acres to be rezoned from “NU” Non-Urban District to “LLR” Large Lot Residential District (Locator Number 18V140098). Total area to be rezoned: 31.9 acres.

Proposed uses:

- Private school or other uses which may be sought under the Chesterfield Zoning Ordinance.

Assistant Planning Director Laura Griggs-McElhanon gave a slide presentation of the subject site. Ms. Griggs-McElhanon stated that there are two (2) parcels to be rezoned.

Mr. Mike Doster, attorney for the petitioner, stated that the City has requested that the petitioner rezone the property from “NU” Non-Urban parcel. The petitioner has no objections to this and that the concept and section plans have already been approved. Mr. Doster stated that Mr. Steve Notestine, a member of the Board of Directors for Gateway Academy and Mr. John Freitag, Principal, were present to answer questions.

Commissioner Layton stated that the Gateway Academy project is a lovely project that is well suited to the property. He also felt that this project is an asset to the City.

SPEAKERS IN FAVOR: - None

SPEAKERS IN OPPOSITION: - None

SPEAKERS - NEUTRAL: - None

REBUTTAL: - Waived

Commissioner Right read the final portion of the "Opening Comments."

V. APPROVAL OF MEETING MINUTES

A motion to hold approval of the February 11, 1999 Special Work Session Minutes was made by Commissioner Sherman so that she can work with Staff on her comments. The motion was seconded by Commissioner Eifler and passes by a voice vote of 9 to 0.

A motion to approve the February 22, 1999 Meeting was made by Commissioner Right and seconded by Commissioner Layton. The motion passes by a voice vote of 9 to 0.

VI. PUBLIC COMMENT: None

VII. NEW BUSINESS

- A. **P.Z. 04-1999 City of Chesterfield;** a proposal to amend Sections 1003.020 Definitions; 1003.030 Establishment of districts; zoning map; 1003.040 Interpretation and extension of district boundaries; 1003.101 "FP" Floodplain District Regulations; 1003.105 "NU" Non-Urban District Regulations; 1003.108 "E-2" Residence District; 1003.109 "E-3" Residence District; 1003.110 through 1003.125 governing Urban Residence Districts; 1003.133 through 1003.145 Commercial District regulations; 1003.150 through 1003.155 Industrial District regulations; 1003.157 "MXD" Mixed Use Development district; 1003.165 Off-street parking and loading requirements - General; 1003.166 Review and approval of development near City or County parks; 1003.167 Miscellaneous Regulations; 1003.168 Sign Regulations - General; 1003.168C Sign Regulations - Permanent Signs; 1003.168D Sign Regulations - Temporary Signs and Attention Getting Devices; 1003.168F Sign Regulations - Nonconforming Signs; 1003.178 Development in Planned Commercial and Planned Industrial Districts; 1003.181 Conditional Use Permit Procedure (CUP); 1003.182 Commercial Service Procedure (CSP); 1003.187 Planned environment unit procedure (PEU); and a proposal to delete section 1003.168A Sign Regulations - Definitions of the City of Chesterfield Zoning Ordinance.

Planner I Molly Butler-Dunham stated that the Department is reviewing several proposed changes:

the creation of definitions, regulation and parking standards for assisted living, independent living and continuing care uses; the revision of the maximum height for real estate signs; the addition or amendment of several definitions. The Department requests that this petition be held until the next Planning Commission meeting.

Chairman Grant stated that Planning Commission members may contact Ms. Butler-Dunham with any concerns.

Commissioner Yaffe made a motion to hold **P.Z. 04-1999 City of Chesterfield**. The motion was seconded by Commissioner Broemmer and passes by a voice vote of 9 to 0.

- B. **P.C. 108-86 Shell Oil Company- Ordinance Amendment**; (Equilon Enterprise L. L. C.); a request to amend Ordinance Number 821 to increase the allowable square footage for the expansion of an existing use. The approximately 0.78 acre "C-8" Planned Commercial District Site is located at the corner of Chesterfield Parkway East and Olive Boulevard.

Planner II Reveena Shook gave a review of the above petition. The outstanding issues were traffic flow and parking. Supervisory personnel had not been previously included in the parking count. The petitioner has added an additional parking space to bring the parking spaces from seven (7) to eight (8). The petitioner has also striped the curb in front of the building in yellow, designating a fire lane, to discourage parking. Staff recommends the approval of Ordinance Amendment Number 821.

City Attorney Beach asked where the additional parking space was located.

Ms. Shook stated that there are two (2) spaces on the south side (one space is for the handicapped), five (5) on the north side and one (1) behind the car wash (employee parking).

Commissioner Nolen stated that if the parking spaces were covered by a canopy, customers might be more likely to park under the canopy in inclement weather.

Councilmember Brown questioned the station's use of signage.

Ms. Shook stated that all sign violations had been abated.

Commissioner Layton made a motion to approve **P.C. 108-86 Shell Oil Company- Ordinance Amendment**. The motion was seconded by Chairman Grant.

Chairman Grant made a motion to amend the motion to approve **P.C. 108-86 Shell Oil Company- Ordinance Amendment** to add a condition to prohibit the placement of vending machines or any items of sale or storage on the sidewalk in front of the station. Commissioner Layton accepts the amendment. The amended motion passes by a vote of 9 to 0.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. Equilon Enterprise L. L. C--Site Development Plan; (P.C. 108-86 Shell Oil Company); a request to amend the Site Development Plan. The Planning Commission has requested the Site Development Plan be reviewed in conjunction with the proposed amendment to governing Ordinance Number 821. The approximately 0.78 acre "C-8" Planned Commercial District Site is located at the corner of Chesterfield Parkway East and Olive Boulevard.

Commissioner Eifler, on behalf of the Site Plan Committee, recommends **approval** of Equilon Enterprise L. L. C--Site Development Plan. The motion was seconded by Chairman Grant 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** -

Assistant Planning Director Griggs-McElhanon stated that Staff has been directed to put together a recommendation for the remainder of the Valley that is protected by the levee that was not included in Phase 3 of the Valley Master Plan. All of the land in the Valley outside the levee will be left in the current Agriculture/Flood Plain Conservation designation. The Department will be looking at low-intensity uses for the remainder of the levee-protected Valley because all of the infrastructure is not available. The Department will come back in a month with a recommendation for the Comprehensive Plan Committee to consider. Once the Comprehensive Plan Committee accepts the recommendation, a Public Hearing before the Planning Commission will be scheduled. The Commission was asked to let Commissioner Broemmer, Chairman of the Comprehensive Plan Committee, or Staff know if there are other areas where some Comprehensive Plan amendments relative to land use need to be made. She advised the Commission that the City will be hiring a consultant this year to redo the Comprehensive Plan.

Ms. Griggs-McElhanon stated that P.Z. 03-1999 Labels Direct will be on the next agenda. The petitioner's attorney will be forwarding a letter to the City requesting that this petition be held because of the action of the Comprehensive Plan Committee this evening.

Commissioner Nolen questioned if the Comprehensive Plan Committee addressed traffic and the levels of service designated.

Ms. Griggs-McElhanon stated that a more appropriate place to deal with traffic is when the Comprehensive Plan is redone as this will be a major change. There will have to be input from traffic consultants. The City does not have any transportation planners or traffic engineers on staff. The City will need input from them relative to levels of service and interpreting this information. The traffic issue will take longer than the Valley land use amendments will take and Staff does not feel that they want to delay the Valley land use amendments for the traffic level of service.

Commissioner Broemmer stated that at the last meeting the subject of traffic levels was discussed. It was discussed that perhaps the City might want to limit traffic levels. Perhaps we need discussion on what are we considering and what do we consider to be acceptable-not necessarily come to any conclusion.

City Attorney Beach stated that at the last City Council meeting he was directed to try to ascertain whether or not we could require, when so deemed necessary by the Planning Commission or City Council, that a developer reimburse the City for the cost of a traffic study that is conducted by a consultant chosen by the City. Mr. Beach is presently exploring this area.

Chairman Grant stated that traffic consultants will have different methodology for determining levels of service. Chairman Grant stated this could be discussed at the next work session in two weeks but the decision-making process will need to involve experts.

Commissioner Eifler recommends reviewing the report done by the traffic moratorium panel if the Planning Commission is going to get into traffic. He recommended review of this report to see if some of the recommendations might be applicable to addressing the overall traffic issue in the City.

Chairman Grant stated that he is not sure if the Comprehensive Plan is the right vehicle to cover this as the Comprehensive Plan is a fairly general document and he does not think it would be as specific with respect to restricting or prohibiting uses.

City Attorney Beach stated there were several recommendations and suggestions that came out of the moratorium traffic committee that really have not been followed up on in detail. Mr. Beach stated that either the Comprehensive Plan or Ordinance Review Committee needs to look at this study because there are too many projects coming on-line.

Commissioner Nolen would like a copy of the Committee's report for the next work session.

Commissioner Eifler stated that he could provide Staff with a copy of the report.

Councilmember Brown stated that when the Comprehensive Plan is done for the entire City, the area along Conway Road and the North Outer 40 should be re-evaluated.

E. Procedures and Planning Committee – No report

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

The meeting adjourned at 8:22 p.m.



Fred Broemmer, Secretary