PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MARCH 8, 2010

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

I. ROLL CALL

PRESENT	**ABSENT**
Mr. David Banks	Mr. Maurice L. Hirsch, Jr.
Ms. Wendy Geckeler	
Ms. Amy Nolan	
Mr. Stanley Proctor	
Mr. Robert Puyear	
Mr. Michael Watson	
Acting Chair G. Elliot Grissom	

Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Annissa McCaskill-Clay, Lead Senior Planner
Mr. Shawn Seymour, Project Planner
Ms. Sarah Cantlon, Community Services & Economic Development Specialist
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Acting Chair Grissom acknowledged the attendance of Councilmember Connie Fults, Council Liaison.

IV. PUBLIC HEARINGS – Commissioner Banks read the "Opening Comments" for the Public Hearing.

A. P.Z. 02-2010 Spirit Trade Center, Lot 30 (JMD Investments, LLC): A request for a change of zoning from a "M3" Planned Industrial District to a "PC" Planned Commercial District for a 1.22 acre tract of land located on the south side of Edison Avenue, east of the Edison Avenue and Spirit Drive intersection (17V320178).

STAFF PRESENTATION:

Project Planner Shawn Seymour gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Seymour stated the following:

- The Public Hearing was advertised per City and State requirements.
- The subject property is currently developed and has a structure on it that operates as an office warehouse.
- Site History
  - The site was zoned "M3" Planned Industrial District by St. Louis County in 1988.
  - The "M3" Planned Industrial District was amended by the City of Chesterfield in 1992 to reduce Right-Of-Way Dedication requirements.
- Requested Permitted Uses are from the new Planned Industrial District:
  (71) Office, General
  (86) Retail Establishments, Community
  (6) Warehouse, General
- The adjacent zoning is essentially all Planned Industrial District.
- The Comprehensive Land Use Plan designates the site as *Service Business Park.*
- Staff has no issues at this time.

PETITIONER'S PRESENTATION:

Mr. Tom O'Toole, Jr., Attorney representing JMD Investments, LLC, gave a PowerPoint presentation showing photographs of the site. Mr. O'Toole stated the following:

- The Petitioner is seeking a change of zoning of the 1.22 acre tract with existing buildings situated at 17826 Edison Avenue, Lot 30 within the Spirit Trade Center subdivision.
- The size of the existing building is 11,024 square feet. The west side of the building is occupied by Product Promotions. The Petitioner is looking for a tenant for the east side of the building, which is currently vacant.
- The request is being made pursuant to Ordinance 1003.140, which is the new "PC" Planned Commercial District.
- The purpose of the request is to give the clients greater flexibility in the marketing and use of the building. This portion of the Ordinance would permit a less intensive retail use, as noted in the uses listed above by Mr. Seymour.
- The Chesterfield Valley Master Plan references this area as *Service Business Park*.
- They feel the request is consistent with the City's Comprehensive Plan, namely Section 3.5.,1 which designates the subject area to include "Mixed Use Office and Retail Plan Developments". They feel that it is also compatible with other uses in Spirit Trade Center, and other nearby properties, particularly on Long Road and Chesterfield Airport Road.
- The requested change will not change the character of the neighborhood.

- The current site meets the Planned Commercial District requirements as it relates to lighting, openspace and greenspace. There is ample parking on the site for a retail use.
- The Petitioner has contacted the adjacent property owners and the Trustees of Spirit Trade subdivision, who have no objections to the application.

City Attorney Heggie questioned whether a bike shop is being considered for the site. Mr. O'Toole stated that there have been some discussions with a prospective tenant, who is in the bike business. Mr. Heggie pointed out that the subject site is relatively close to the City's levee trail so the possibility of a bike shop nearby would be an attractive use.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:
There are no issues at this time.

Commissioner Banks thought that the "PI" District has limited retail use as a permitted use. Mr. Seymour replied that there are no specific land uses in the new Planned Industrial District that would accommodate the particular retail use being requested.

Commissioner Banks read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING MINUTES

Commissioner Nolan made a motion to approve the minutes of the February 22, 2010 Planning Commission Meeting. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 6 to 0 with 1 abstention.**

VI. PUBLIC COMMENT

A. 14420 Pembury Drive (Ladue Park Subdivision)

Petitioner:
Ms. Betty Von Seggern, 14420 Pembury Drive, Chesterfield, MO stated the following:

- She and her husband want to add an extra garage, sunroom, and underground tunnel to their existing home.
- The sunroom is similar to a hothouse and will be used for hydrophonic gardening.
- The underground tunnel will be used for storage and will connect the garage and house.

Discussion:
During discussion between Ms. Seggern, Ms. McCaskill-Clay, and the Commission, the following points were clarified:

- The underground tunnel will be covered with landscaping and can be accessed from the garage.
- The height of the garage will not be taller than the existing house and the building materials will match the existing house.
- The garage addition is attached via the tunnel.
- The existing garage is attached to the house and will remain.
- Final plans for building permits will be submitted and will be signed and sealed by a registered architect and surveyor.
- The neighbors have been notified of the proposed plans. One neighbor has no objection to the additions; the other neighbor has been away for the past months, but a letter has been placed in her mailbox regarding the proposed structures. The applicant has provided written notification to the City advising that the subdivision Trustees and adjacent neighbors have been notified of the proposed project.

Commissioner Geckeler asked for a written affidavit from the Trustees and neighbors indicating that they are aware of the proposed plans. Ms. Nassif pointed out that the City's Ordinance requires that the applicant provide the Department with written notification that Trustees and adjacent neighbors have been notified. The Ordinance does not require a copy of what was sent to the Trustees and neighbors – notification can be done verbally, by e-mail, or by letter. She does not feel that the City can request an affidavit from the Trustees and neighbors since it is not required by City Code. City Attorney Heggie indicated his agreement with Ms. Nassif's statement.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. **Spirit Town Center:** An Amended Site Development Concept Plan for a 7.8 acre parcel of land zoned "PC" Planned Commercial District located on Chesterfield Airport Road on the southwest corner of its intersection with Goddard Avenue.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Concept Plan for Spirit Town Center. The motion was seconded by Commissioner Watson and **passed by a voice vote of 7 to 0**.

B. **Wings Corporate Estates, Lot 19**: Site Development Section Plan, Architectural Elevations, Landscape Plan, and Lighting Plan for a 1.4 acre tract of land zoned "PI" Planned Industrial District, located at the north side of Paul Haglin Drive, east of its intersection with Eatherton Road.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Architectural Elevations, Landscape Plan, and Lighting Plan for Wings Corporate Estates, Lot 19. The motion was seconded by Commissioner Banks and **passed by a voice vote of 7 to 0**.

C. **14420 Pembury Drive (Ladue Park Subdivision):** A request for a residential addition to an existing home zoned "R2" Residence District (15,000 sf.) located at 14420 Pembury Drive, in Ladue Park Subdivision.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Residential Addition for 14420 Pembury Drive (Ladue Park Subdivision). The motion **died** due to the lack of a second.

Commissioner Watson made a motion to hold the request until the next meeting in order to obtain additional information from the homeowner. The motion was seconded by Commissioner Banks.

The homeowner was advised to let Staff know if additional time is needed to submit the requested information. It was noted that the Commission is looking for "clearer renderings and pictures so the Commission can get a full scope of view" of what the proposed structures will look like.

The vote to hold **passed by a voice vote of 7 to 0.**

VIII. OLD BUSINESS - None

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

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Michael Watson, Secretary