PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
March 13, 2000

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

I. PRESENT **ABSENT**

Mr. David Banks
Mr. Fred Broemmer
Mr. Charles Eifler
Ms. Stephanie Macaluso
Mr. John Nations
Ms. Rachel Nolen
Mr. Jerry Right
Ms. Victoria Sherman
Chairman Dan Layton, Jr.
Mayor Nancy Greenwood
Mr. Doug Beach, City Attorney
Councilmember Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Jennifer Samson, Project Planner
Ms. Mary Claire Goodwin, Project Planner
Ms. Kathy Lone, Executive Secretary/Planning Assistant

II. INVOCATION: Commissioner Sherman

III. PLEDGE OF ALLEGIANCE: All

Chairman Layton recognized the attendance of Councilmember Jane Durrell (Ward I), Councilmember Linda Tilley (Ward IV) and Councilmember Mary Brown (Ward IV) as Council Liaison.

IV. PUBLIC HEARINGS:

Chairman Layton stated that P.Z. 04-2000 Roy A. Mangan - Thomas Roof, Inc. Architekts (Wild Horse Crossing) has been postponed at the request of the petitioner.

A. **P.Z. 04-2000 Roy A. Mangan - Thomas Roof, Inc. Architekts (Wild Horse Crossing);** A request for a change in zoning from an "NU" Non-Urban District to a "PC" Planned Commercial District for a 7.89 acre tract of land located at the northeast corner of the intersection of Wild Horse Creek Road and Eatherton Road. (Locator Numbers: 19W42-0114, 19W42-0125, and 19W42-0170).

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

B. **P.Z. 05-2000 THF Chesterfield Development L.L.C. (Chesterfield Commons);** An amendment to the City of Chesterfield Ordinance Number 1344, as amended, revising the permitted uses to include financial institutions in the "C-8" Planned Commercial District; located between the Sachs Electric Facility and the McBride Building on the north and south side of Chesterfield Airport Road.

Project Planner Mary Claire Goodwin presented an overview of P.Z. 05-2000 THF Chesterfield Development L.L.C. (Chesterfield Commons).

1. Mr. Mike Doster, 16476 Chesterfield Airport Road, Chesterfield, MO 63017, attorney for petitioner, speaking in favor of P.Z. 05-2000 THF Chesterfield Development L.L.C. (Chesterfield Commons);

- Speaker stated that the petitioner is requesting to build a financial institution facility inside the Wal-Mart. Speaker stated that the City considers ATM machines and facilities that provide financial services within existing facilities as financial institutions and are not permitted under the current zoning ordinance;
- Speaker stated that the financial institution facility inside Wal-Mart would not have a separate entrance or drive-thru;
- Speaker stated that a potential user may want a financial institution facility at one of the future outlots but not at this time.

2. Mr. Michael Staenberg, THF Realty, 955 Executive Parkway, Ste. 210, St. Louis, MO 63141, petitioner for P.Z. 05-2000 THF Chesterfield Development L.L.C. (Chesterfield Commons);

- Declined to speak.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Commissioner Banks read the next portion of the "Opening Comments."

C. **P.Z. 07-2000 William H. Jamison**; A request for a Commercial Service Procedure (CSP) procedure in the "R-2" 15,000 square foot Residence District for a 1.155 acre tract of land located on the south side of Olive Boulevard, 500 feet west of Westernmill Drive. (Locator Number: 16R31-1065). Proposed Use: General Office.

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

1. Mr. William H. Jamison, 15239 Olive Boulevard, Chesterfield, MO 63017, petitioner for P.Z. 07-2000 William H. Jamison;

- Speaker stated that the building would be used for his State Farm Insurance office;
- Speaker stated that there would be very little drop-in traffic. Most of the speaker's business is done on the telephone;
- Speaker stated that there would be three (3) employees, including himself;
- Speaker stated that the only external change would be to add two (2) parking spaces;
- Speaker stated that the trees would remain.

COMMENT/DISCUSSION

Commissioner Macaluso expressed concern about the property if it is sold.

City Attorney Beach stated that the Commercial Service Procedure (CSP) stays with the property.

Mr. Jamison stated that when he leaves the business, normally another State Farm Insurance agent would take over the business.

Mr. Jamison stated that the building would only be used for an office and not a residence.

Mr. Jamison stated that the only exterior signage would be on the mailbox.

2. Mr. Wayne Gatchall, 2505 Metro Boulevard, St. Louis, MO 63043, engineer for petitioner for P.Z. 07-2000 William H. Jamison;

- Speaker stated that asphalt would be added to the driveway because the City requires a 22-foot wide minimum hard surface pavement. Speaker stated that five (5) feet of asphalt will be added behind the existing turnaround which will allow petitioner to get the required parking spaces;

- Speaker stated that all trees will remain but a few bushes will need to be removed when the driveway is widened;
- Speaker stated that landscape screening will be planted behind the parking spaces in the turnaround;
- Speaker stated that the cars would not be visible from the rear after the landscape screening is added;
- Speaker stated that 8.6 parking spaces are required but there will be 9 spaces;
- Speaker stated that the 22-foot wide driveway that is required allows for 2-way traffic.

Commissioner Broemmer stated that the purpose of a Commercial Service Procedure (CSP) in a residential area is to keep the property looking residential but the wide driveway and parking in front takes away from the residential look.

Mr. Gatchall stated that the present lighting would remain the same.

Mr. Gatchall stated that besides painting, the only other interior work would be to make the residence handicapped accessible.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION –

1. Ms. Lisa Soake, 556 Oak Creek Meadows Court, Chesterfield, MO 63017, speaking in opposition to P.Z. 07-2000 William H. Jamison;

- Speaker stated that her home overlooks the subject site;
- Speaker stated that she feels that the petitioner would be running two (2) businesses out of this home – his insurance company and as a real estate owner paying himself rent;
- Speaker expressed concern that granting a Commercial Service Procedure (CSP) for this property will decrease the value of her home.

2. Ms. Nancy Myers, 14327 Millchester Circle, Chesterfield, MO 63017, speaking in opposition to P.Z. 07-2000 William H. Jamison;

- Speaker stated there are ten (10) homes downhill from the subject site and she is concerned with water run-off;
- Speaker stated that the petitioner has two (2) lit signs for business identification in the windows of his current office on Olive Boulevard.

SPEAKERS – NEUTRAL – None

REBUTTAL - None

Chairman Layton stated that P.Z. 07-2000 William H. Jamison will not need to go before the Architectural Review Board (ARB).

Commissioner Banks read the next portion of the "Opening Comments."

D. P.Z. 08-2000 City of Chesterfield: A proposal to amend the City of Chesterfield Zoning Ordinance by creating a new Section 1003.167(20) Traffic Studies.

Project Planner Mary Claire Goodwin gave an overview of P.Z. 08-2000 City of Chesterfield. Ms. Goodwin stated that P.Z. 08-2000 City of Chesterfield is a proposal to amend the City of Chesterfield Zoning Ordinance by making Resolution #253, which requires traffic studies to be prepared by the City's traffic consultant for private developments that have the potential to increase traffic volume, a part of the Zoning Ordinance.

Commissioner Nations stated that in his opinion the purpose of this ordinance is to allow the City to require developers to pay the cost of a traffic study for the City of Chesterfield in connection with proposed developments that impact the traffic in Chesterfield. Commissioner Nations stated that he would suggest proposed changes to this petition during the New Business portion of the meeting tonight.

Commissioner Eifler suggested that either the Department of Public Works or the Department of Planning have the ability to request a traffic study.

Ms. Goodwin stated that P.Z. 08-2000 City of Chesterfield would again be discussed during the New Business portion of tonight's meeting.

Commissioner Banks read the closing portion of the "Opening Comments."

V. APPROVAL OF MEETING MINUTES

A motion to **approve** the February 28, 2000 Meeting Minutes was made by Commissioner Macaluso and seconded by Commissioner Broemmer. The motion **passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT:

1. Mr. Michael Hollingsworth, 508 Oak Creek Meadows, Chesterfield, MO 63017, speaking in opposition to P.Z. 07-2000 William H. Jamison;

- Speaker stated that he is opposed to turning the residential property into commercial property;
- Speaker stated that he concerned about the property values.

2. Mr. William F. Schierholz, 141 Long Road, Chesterfield, MO 63005, petitioner for the Dugsford Commons Ordinance Amendment;

- Speaker stated that he is present to answer questions;
- Speaker stated that a Site Development Plan has been submitted but will not be reviewed until the ordinance has been amended. Speaker stated that Dugsford Commons would be a duplicate to the Walnut Grove buildings;
- Speaker stated that the only changes would be that stone will be added to the buildings and the color of the siding and roof may be changed.

3. Mr. Todd Scheibe, 10849 Indian Head Industrial Boulevard, St. Louis, MO 63132, engineer for Dugsford Commons;

- Declined to speak.

4. Mr. Mike Doster, 16476 Chesterfield Airport Road, Chesterfield, MO 63017, attorney for petitioner of P.Z. 26-1999 Solomon Consulting;

- Speaker stated that the Public Hearing was held on August 9, 1999 and many changes have occurred since then;
- Speaker stated that all issues have been satisfactorily resolved;
- Speaker stated that Staff's Attachment A is acceptable to the petitioner, with the minor changes to be made reflecting the letter from George Stock regarding the parapet and rooftop mechanicals;
- Speaker stated that he would like to commend the Department of Planning for the time spent with the petitioner to address the issues;
- Speaker stated that he believes that the proposed development is in accordance with the Comprehensive Plan;
- Speaker stated that this proposed development compares favorably to Forty West I and adds additional improvements. Some of the improvements are: lower density, traffic no longer a major issue, agency positions have been clarified, specifically St. Louis County with respect to the Highway Trust Fund monies. Speaker stated that a concern with the Trust Fund is that the developer not have to pay twice – Chesterfield and the County's Trust Fund. The proposed ordinance on the trust fund has been evolving positively and will make it fair to all concerned.

5. Mr. Bob Boland, 1716 Hidden Creek Court, Chesterfield, MO 63017, speaking in favor of P.Z. 26-1999 Solomon Consulting;

- Speaker summarized changes that have been made:

1. Access – west entrance has been eliminated;
2. A lake in front is part of the detention;
3. An internal link drive has been created that has no parking;
4. Future access to the east has been created which ideally will be in line with the drive;
5. Will adhere to the 120 foot buffer line. The buffer line is the same as with Forty West I and Timberlake except the closest point of the parking garage is at the same distance as the Solomon garage and then it veers away so that the western edge is 120 feet to the existing right-of-way line and at the eastern edge it is in excess of 160 feet;
6. Density has been reduced to 1.457 floor area ratio, green space is 51%, building height is 5 stories (70 feet);
7. Setbacks are in excess of City requirements;
8. Materials and colors are the same; articulation is slightly different;
9. In excess of the Tree Ordinance requirement;
10. Storm water will be handled by one dry and one wet retention lake, one of which is a landscape feature and the other is dry.

- Speaker stated that the petitioner is in agreement with Staff and the summary report.

Mayor Greenwood asked why there has been a 9-foot change in the parking structure height.

Mr. Boland stated that there has not been. The actual report that was submitted had erroneous numbers. The height submitted to the Commission matched Forty West I. The number should be 597 feet. Mr. Boland stated that the petitioner wants to keep continuity.

Mr. Boland stated that the setback of the building from North Outer Forty varies. To the right-of-way line it is 85 feet, to the pavement on the western edge it is approximately 145 feet and 185 feet on the eastern edge.

Commissioner Banks stated that he is pleased that the cross drive does not have parking on it.

Mr. Boland stated that features of the pond would probably be visible for eastbound traffic but not for westbound traffic.

Commissioner Nations stated that the Commission received plans that show the elevation of Conway Road at 588 feet and the parking garage higher than that.

Mr. Boland stated that at one point the elevation is 588 feet but the grade rises as you go south up to approximately 594 feet. Mr. Boland stated that the petitioner wants to continue that rise into the parking structure so it will be a very natural grade. The natural grade will intersect at the top floor of the parking garage. Mr. Boland stated that the most a person would see is possibly a four (4) foot rail of the uppermost garage which would be landscaped and has supplemental landscape in front of it.

Mr. Boland stated that the natural grade would be at the top floor of the garage. Mr. Boland stated that only a four (4) foot band of concrete would be seen.

Mr. Boland stated that the garages for Forty West I and Forty West II will appear to Conway Road identical except that Forty West II will be lower by nine (9) feet because the natural grade drops off. Mr. Boland stated that the berming and the landscaping will continue as a wall all the way across.

6. Ms. Julie Nolfo, Crawford Bunte Brammeier, 1830 Craig Park Court, Ste. 209, St. Louis, MO 63146, speaking in favor of P.Z. 26-1999 Solomon Consulting;

- Speaker stated that with some physical improvements, the build-out of the Forty West corridor could be accommodated;
- Speaker stated that, in regards to Forty West II, there are no physical improvements that are needed to mitigate the traffic associated with this development; however, some timing modifications have been suggested along Chesterfield Parkway. Speaker stated that it is her understanding that St. Louis County has conveyed to the City that the timing modifications will be implemented as soon as possible and will not necessarily wait for the construction of the development. Speaker stated that all of the improvements needed to mitigate Forty West II would be in place.

Commissioner Eifler asked if the closing of the western access was motivated by traffic considerations.

Ms. Nolfo stated no and that she looked at the plan with only one (1) drive.

Commissioner Nations stated that it was his understanding that no improvements would be needed to North Outer Forty and Chesterfield Parkway as a result of the Vitt building. After that, modifications would be necessary.

Ms. Nolfo stated that the Vitt project, which has an additional 150,000 square feet, would trigger the need for the triple left turn lane, assuming the Krause property, immediately to the east, is not developed and that the continuous connection from Forty West I over to Timberlake is not in place.

7. Ms. Laura Lueking, 15021 Conway Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 26-1999 Solomon Consulting;

- Speaker stated that the traffic study was completed during Labor Day week-end when children were off school so the accuracy of that traffic study should be null and void;
- Speaker questioned why the developer is going to be using Crawford Bunte Brammeier for the traffic study;
- Speaker stated that the traffic issues have not been resolved;
- Speaker asked the Commission to deny this petition.

8. Mr. Lee Wall, 14759 Plumas Drive, Chesterfield, MO 63017, speaking in opposition to P..Z. 26-1999 Solomon Consulting;

- Speaker stated that it is his understanding that the regional traffic study is only 50% completed;
- Speaker stated that here have been complaints from residents of the Shenandoah Subdivision concerning the lighting at Solomon I in the winter time which has not been taken care of;
- Speaker stated that he cannot see a favorable resolution.

9. Ms. Debbie Himmelsbach, 14829 Conway Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 26-1999 Solomon Consulting;

- Speaker stated that the Comprehensive Plan said that the south side of Conway Road would remain residential and, if offices were developed along the Highway 40 Corridor, a substantial buffer would be placed between the south side homes and the offices. The Comprehensive Plan also stated that the development must be low-rise;
- Speaker stated there should not be access to Conway Road.

10. Mr. Jay Kirschbaum, 1520 Woodroyal East Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 26-1999 Solomon Consulting;

- Speaker asked the Commission to deny this petition.
- Speaker stated that this project is too high density and has water problems;
- Speaker stated that the developer has not spoken to residents in his subdivision;
- Speaker stated that eastbound traffic passes his subdivision.

11. Ms. Karyn Griffin, 16657 Chesterfield Manor, Chesterfield, MO 63006, trustee for Chesterfield Farm Subdivision, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker stated that she opposes approval of this petition until issues surrounding the Chesterfield Commons are resolved;
- Speaker stated she would like the City to have the trees that THF Realty was originally going to plant along Edison Avenue be planted behind the Commons to provide additional landscape screening;
- Speaker stated that the residents were told that the roof would be a neutral earth tone;
- Speaker stated that a resident said that the lights are not consistently being turned down at 11:30 p.m.;
- Speaker stated that she would like the landscaping completed within 30 days.

Director of Planning Teresa Price stated that a court date has been set for Lowe's concerning their outdoor storage issues. Ms. Price stated that the new developments would require a lighting plan that will also show the foot candles when it is submitted as a Site Development Plan.

Councilmember Brown clarified that the trees originally shown along Edison Avenue that the Levee District would not permit were shown on the Site Development Plan as being moved onto THF's property. The trees were not eliminated.

12. Ms. Barbara Niemeyer, 168 Brighthurst Drive, Chesterfield, MO 63005, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker stated that she does not feel that the Attachment A addresses the issues adequately;
- Speaker asked that the revised set of standards presented by the attorney for the residents be incorporated into the ordinance amendment.

13. Ms. Mary Purvines, 16863 Chesterfield Bluffs Circle, Chesterfield, MO 63005, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker urged the Commission to include the parking lot, wall pack and illuminant standards which the residents have suggested so that there is not a repeat of the history at the Commons of abuses in the area of direct source glare, atmospheric light pollution, and illuminant levels.

14. Mr. George K. Alexander, 16803 Chesterfield Bluffs Circle, Chesterfield, MO 63005, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker stated that no parking should be allowed on the south side of the small shops adjacent to the bluffs due to noise, emissions and light.

15. Mr. John McElravey, 16835 Chesterfield Bluffs Circle, Chesterfield, MO 63005, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker expressed concern regarding the lack of specifics in Attachment A, Section VII. A. 12. regarding storage;
- Speaker stated that the residents propose that no outdoor storage be permitted and that the language permitting enclosures 'with one side attached to said building' be deleted from the ordinance.

16. Mr. Donald Katt, 16869 Chesterfield Bluffs Circle, Chesterfield, MO 63005, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker stated that Attachment A does not specifically address the material of the building facades or the color of the roofing;
- Speaker asked that certain standards be added to Attachment A to help shield the residential neighborhood from the encroaching commercial development and which may help address aesthetic concerns.

17. Ms. Shana Paul, 16776 Chesterfield Bluffs Circle, Chesterfield, MO 63005, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker expressed her concern with landscaping;
- Speaker asked that evergreen trees be planted around all dumpsters in the development below the bluffs;

- Speaker asked that the development plant a landscape screen of evergreen trees, six feet in height, along the bluffs adjoining the development to create a solid, year-round buffer.

Commissioner Eifler asked Ms. Paul if the recommendations had been discussed with the developer.

Ms. Shu Simon, attorney for the residents, stated that a letter stating these concerns had been mailed to the developer and a response was hand-delivered this evening.

18. Mr. Donald R. Kern, 168-7 Chesterfield Bluffs Circle, Chesterfield, MO 63005, speaking in opposition to P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.;

- Speaker expressed concern with some of the uses. Some of the uses increase traffic, create automotive emissions, are a possible environmental risk and create offensive odors;
- Speaker urged the Commission to balance the types of uses used.

Chairman Layton commended the residents speaking on P.Z. 37-1999 THF Chesterfield Two Development, L.L.C. for their well-organized and non-repetitious presentation.

Chairman Layton adjourned the meeting for a recess at 9:12 p.m. and reconvened the meeting at 9:25 p.m.

VII. NEW BUSINESS

A. P.Z. 08-2000 City of Chesterfield: A proposal to amend the City of Chesterfield Zoning Ordinance by creating a new Section 1003.167(20) Traffic Studies.

Project Planner Mary Claire Goodwin asked the Commission if they had any changes to the Zoning Ordinance Amendment for P.Z. 08-2000 City of Chesterfield.

Commissioner Nations proposed the following changes to the ordinance amendment:

1. The third preamble (WHEREAS) paragraph, page 1,

   WHEREAS, the City is concerned about the impact of traffic from new ~~commercial~~ developments and changes to existing developments ~~that add traffic to the public streets~~; and

2. The fourth preamble (WHEREAS) paragraph, page 1,

   WHEREAS, when a petition is submitted for a new ~~commercial~~ development and/or amendment to an existing development and the City can reasonably anticipate that ~~a principal part of the business operations is to provide for goods that are generally provided in a short~~

~~time span, or in which goods and services are provided to occupants of motor vehicles who remain in those vehicles, than~~ the preliminary or site development proposal should be evaluated to determine if the proposal may have a impact on traffic, the staff will also then consider what additional street improvements if any are required to ameliorate such impact; and

3. The sixth preamble (WHEREAS) paragraph, page 1,

   WHEREAS, if the City thus determines that they need the services of a Traffic Consultant because of the proposed development, it is reasonable therefore that the cost be paid by the individual developer, persons, or entities which seek the ~~new commercial~~ development of amendment to an existing development.

4. Page 1, Section 1. Upon application for ~~new Commercial~~ Zoning or the amendment to an existing ~~Commercial~~ Zoning, if a traffic study shall be determined necessary by the ~~Department~~ **(add Director)** of Planning and the ~~Department~~ **(add Director)** of Public Works they shall notify the Developer in writing and the Developer shall deposit with the City in a special Escrow the sum of Two Thousand Dollars ($2,000.00) to be as a deposit toward the expenses incurred by the City to study the traffic issues by a Traffic Consultant.

5. Page 2, Section 2. Said traffic study, obtained by the City shall collect data as determined by the consultant to include traffic counts, measurements of traffic gaps, sight distances along adjoining streets, accident data, locations of nearby driveways, etc. That information shall be collected so that the City may evaluate those issues which are normally expected to arise as a result of developments ~~which increase the traffic on City streets~~, which would include, but are not limited to:

6. Page 2, Section 3. Upon receipt of a request to zone for a ~~new commercial~~ development and submittal of a site development plan and upon the City's determination for the need of a traffic study, the City shall forward a copy of the Site Plan along with any other information concerning the Development proposal to its Traffic Consultant. The traffic consultant shall provide a specific proposal for services detailing the action that they would undertake regarding the specific traffic issue presented. After the City has reviewed the proposal and deemed it fair and reasonable, a copy shall be provided to the developer who shall have an opportunity to respond to the proposal and offer their input as to proposed actions of the consultant. Upon receipt of the City's authorization, the consultant shall proceed with the work and present the finds to the City. The developer shall provide full payment for said services. Failure of the Developer to pay said funds into the special escrow account shall be a cause for the petition to be held and not to proceed until said payment has been paid.

6. **Add Section 6. Resolution #253 of the City of Chesterfield is hereby repealed.**

Commissioner Nations asked for discussion on whether it should require the concurrence of both the Director of Planning and the Director of Public Works.

Commissioner Eifler asked for clarification on whether the $2,000.00 that the developer would put into the escrow is in addition to the cost of the traffic study.

City Attorney Beach stated that it is intended to be a deposit towards the cost of the traffic study.

Commissioner Eifler stated that it is his understanding that the $2,000.00 is used to compensate the City for their work and, in addition to that, the developer pays for the cost of the traffic study.

City Attorney Beach stated that his interpretation is that the $2,000.00 is simply a deposit on the total amount to be paid which would be paid by the developer and the developer is not paying for the in-house review of the traffic study that they have paid to have done.

Commissioner Nations stated that his understanding is that it is a reimbursement for the expenses incurred by the City.

Commissioner Eifler asked what expenses might be incurred by the City.

Commissioner Nations stated that the City is going to hire a traffic consultant for its own benefit of the traffic impact in connection with projects that qualify under this ordinance.

Chairman Layton stated that P.Z. 08-2000 City of Chesterfield would be held.

B. THF Chesterfield Development L.L.C. (Chesterfield Commons) Ordinance Amendment; An amendment to the City of Chesterfield Ordinance Number 1344, as amended, revising the building requirement limits to allow five (5) stories or sixty-five (65) feet in the "C-8" Planned Commercial District; located between the Sachs Electric Facility and the McBride Building on the north and south side of Chesterfield Airport Road.

Chairman Layton stated that this petition, THF Chesterfield Development L.L.C. (Chesterfield Commons) Ordinance Amendment, was presented to the Commission at their February 28, 2000 meeting. The motion was defeated by a split vote. At the following Planning & Zoning Committee meeting, the petitioner stated that he was willing to have a one (1) 5-story building rather then use a categorical 5-story height for anywhere in the zoning. Because of this, the Planning & Zoning Committee asked the Commission to reconsider this item and said that the Planning & Zoning Committee would support one (1) 5-story hotel.

Chairman Layton made a motion to reconsider this zoning request. The motion was seconded by Commissioner Nations **and passes by a voice vote of 7 to 2**. (Commissioner Macaluso and Commissioner Broemmer voted nay).

Commissioner Nations made a motion to suspend the rules to allow a presentation by the petitioner's attorney, Mr. Mike Doster. The motion was seconded by Chairman Layton **and passes by a voice vote of 9 to 0.**

Mr. Doster stated that the petitioner requested that the Planning & Zoning Committee send this item back to the Commission and appreciates their willingness to reconsider this item.

Mr. Doster stated that this request originally included all of the property north of Chesterfield Airport Road that was included in the original C-8 zoning. Mr. Doster stated that many questions arose after the Commission originally voted on this request. Mr. Doster stated that many felt that there was not enough information, wanted the request confined to a specific location, and wanted to better understand why the original zoning ordinance limited the height to 3-stories.

Mr. Doster stated that typically, if a petitioner does not propose anything higher than a given height, in this case 3-stories, that is what is written into the Attachment A. Mr. Doster stated that at the time the original petition and plan were presented, the plan called for buildings that were no higher than 3-stories. Mr. Doster stated that in this specific instance, there is a specific hotel user. Mr. Doster stated that the petitioner is asking that the height be spelled out in feet (65 feet) rather than stories (5-stories).

Mr. Doster stated that the specific user would be a full-service hotel with meeting facilities, banquet rooms and a restaurant. Mr. Doster stated that the hotel would compete and provide comparable facilities to the Doubletree Hotel. Mr. Doster stated that the petitioner is willing to confine it to the specific location that is stated in the letter request. Mr. Doster stated that the petitioner does not see a need for any taller buildings.

Mr. Doster stated that Mr. Dick Hrabko, Director of Aviation for Spirit of St. Louis Airport, does not have a problem with the proposed height.

Mr. Doster stated that the request to amend the Structure Setbacks to require an eighty (80) foot setback from the new right-of-way of I-64/40 is alright with the petitioner.

Mr. Tom Roof, TRI Architeckts, architect for the petitioner, stated that the Wehrenberg Theatre was approved at 65 feet and Hampton Inn is 4-stories, not including the gable roof. Mr. Roof stated that it is believed that the height of the Hampton Inn is as high or higher than this proposal. The Hilton Inn was approved for 5-stories but only built to 4-stories.

Mr. Doster stated that most of the other hotels in the area or ones coming in are not full service hotels.

Director of Planning Teresa Price stated that existing and possible new hotels are open to the idea of more hotels as there is a need due to the office market in the area.

Commissioner Macaluso expressed concern about Highway 40 being a corridor of hotels and motels and does not think that this is the look of the concept plan for the Valley.

Mr. Doster stated that the Doubletree Hotel often does not have enough room and refers clients to other hotels. Mr. Doster stated that currently there is a need for this type of hotel.

Mr. Roof stated that the hotel would all be brick.

Mr. Doster stated that the square footage limitation for the Commons is stated in terms of a total in the Ordinance and this ordinance amendment will not cause the total to be exceeded.

Mr. Doster presented the Commission with copies of the color elevations.

Commissioner Nations made a motion to approve THF Chesterfield Development L.L.C. (Chesterfield Commons) Ordinance Amendment as revised and recommended and in keeping with the description contained in Mr. Doster's letter of February 29, 2000 and in the Staff report. The motion was seconded by Commissioner Right.

Upon a roll call, the vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, no; Commissioner Eifler, yes; Commissioner Macaluso, no; Commissioner Nations, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Chairman Layton, yes.

The motion to approve this petition passes by a vote of 7 to 2.

C. **Sachs Properties Ordinance Amendment**; An amendment to the City of Chesterfield Ordinance Number 1265 revising the Building Setbacks in the "C-8" Planned Commercial District for a 6.3 acre tract of land located on the southwest corner of Burkhardt Place and Chesterfield Parkway South.

Project Planner Mary Claire Goodwin gave an overview of this ordinance amendment and stated that the petitioner is requesting the setback along Chesterfield Parkway South be reduced from 150 feet to 80 feet.

Commissioner Eifler stated that it does not appear that a building could be put there.

Ms. Goodwin showed the proposed site to the Commission with the Library Site Study dated February 14, 2000.

Commissioner Eifler stated that the drawing does not match in outline the lot lines from the plan that the Commissioners received.

Ms. Goodwin stated that the ordinance amendment is for parcel B. The site that is being governed by the Library will be covered by two (2) ordinances. The ordinance amendment before the Commission this evening is for parcel B. Parcel D is undeveloped. The two (2) parcels had been split previously.

Director of Planning Teresa Price stated that the actual structure of the Library would set on two (2) parcels, B and D. The parcels are under two (2) separate ordinances. Parcel D is under the Chesterfield Mall ordinance and does not need to be amended. That ordinance does not have setbacks but the ordinance for parcel B does have setback requirements so that ordinance needs to be amended. The plan that shows the building has nothing to do with the placement. The Commission had asked to see where the building was going and how it related. Staff is bringing the setbacks into compliance with parcel B.

Commissioner Macaluso made a motion to approve the Sachs Properties Ordinance Amendment. The motion was seconded by Commissioner Sherman.

Upon a roll call, the vote was as follows: Commissioner Broemmer, yes; Commissioner Eifler, yes; Commissioner Macaluso, yes; Commissioner Nations, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Banks, yes; Chairman Layton, yes.

The motion to approve this petition passes by a vote of 9 to 0.

D. **T.K. Properties LLC I Ordinance Amendment**; An amendment to the City of Chesterfield Ordinance Number 1565, as amended, for the T.K. Properties located on the south side of Chesterfield Airport Road, east of Baxter Road Extension.

Project Planner Mary Claire Goodwin presented an overview of T.K. Properties L.L.C. I Ordinance Amendment. Ms. Goodwin stated that the ordinance amendment is to allow a zero (0) setback on the western property line to accommodate a required parking space. Staff recommends approval of this ordinance amendment.

Commissioner Eifler asked for clarification that this would change the 20-foot setback to zero (0) so there would be parking on the lot line.

Ms. Goodwin stated that the parking would cover the lot line.

Commissioner Eifler asked if this ordinance amendment had been submitted to the Historical Commission for review.

Ms. Goodwin stated that it had not.

Commissioner Eifler made a motion to approve T.K. Properties L.L.C. I Ordinance Amendment subject to review and favorable endorsement by the Historical Commission. The motion was seconded by Commissioner Broemmer.

Commissioner Macaluso stated that she would like Staff to check into the fact that there are two (2) signs on the property and only one (1) is allowed.

Ms. Goodwin stated that the petitioner has been told to remove the signs.

City Attorney Beach stated that he does not feel that it is appropriate for the Commission to approve an item subject to what someone else is going to review and then give the approval of their ultimate decision to the Planning and Zoning Committee. City Attorney Beach stated that if the Commission wants to find out what the Historical Commission thinks about this amendment, this items needs to be held for their input.

Commissioner Eifler amended the motion to hold this ordinance amendment until there is a review of and a report by the Historical Commission.

Commissioner Eifler withdrew his original motion.

Ms. Goodwin stated that the ordinance for T.K. Properties II, the neighboring property, already has a zero foot setback from the eastern property line that already has been approved.

Councilmember Brown stated that it has been the position of the Historical Commission to allow flexibility for the petitions in the preservation of these buildings. Councilmember Brown stated that she does not believe that the Historical Commission will have a problem with this ordinance amendment.

Commissioner Eifler's motion dies due to a lack of a second.

Commissioner Nations made a motion to approve the T.K. Properties L.L.C. I Ordinance Amendment. The motion was seconded by Commissioner Sherman.

Upon a roll call, the vote was as follows: Commissioner Eifler, yes; Commissioner Macaluso, yes; Commissioner Nations, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Chairman Layton, yes.

The motion to approve this petition passes by a vote of 9 to 0.

Commissioner Eifler stated that it would be appropriate that when an item in the historic district is proposed, the petition should be reviewed by the Historical Commission for their opinion before the Commission votes on it. Commissioner Eifler stated that this is a district that the Historical Commission proposed and they are most interested in the preservation of the whole area and retaining whatever historical value it has. Commissioner Eifler urged Staff to have projects reviewed by the Historical Commission before they come before the Commission.

E. **T.K. Properties LLC II Ordinance Amendment**; An amendment to the City of Chesterfield Ordinance Number 1597 for the T.K. Properties located on the south side of Chesterfield Airport Road, east of Baxter Road Extension.

Project Planner Mary Claire Goodwin gave an overview of this petition and stated that the petitioner is requesting an ordinance amendment to change the required site development plan to include existing improvements within thirty (30) feet rather than 150 feet. Ms. Goodwin stated that the parking and building setbacks listed in Section 4.b. of the ordinance were typed incorrectly at the first passing and the petitioner is asking that they be amended.

Commissioner Nations made a motion to approve T. K. Properties L.L.C. II Ordinance Amendment. The motion was seconded by Commissioner Sherman.

Upon a roll call, the vote was as follows: Commissioner Macaluso, yes; Commissioner Nations, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Banks, yes; Commissioner Broemmer, yes, Commissioner Eifler, yes; Chairman Layton, yes.

The motion to approve this petition passes by a vote of 9 to 0.

F. **Dugsford Commons Ordinance Amendment;** An amendment to City of Chesterfield Ordinance Number 984 in the "C-8" and "FPC-8" Planned Commercial District located on Wild Horse Creek Road at Long Road.

Project Planner Jennifer Samson presented an overview for the Dugsford Commons Ordinance Amendment and stated that this ordinance amendment involves a revision to the western parking setback from 20 feet to 5 feet and prohibits parking along both sides of the 30-foot wide driveway for a distance of 150 feet from the existing right-of-way of Wild Horse Creek Road rather than the 350 feet which is presently in the ordinance. Ms. Samson stated that Staff recommends approval.

Commissioner Nolen made a motion to approve the Dugsford Commons Ordinance Amendment. The motion was seconded by Commissioner Right.

Commissioner Macaluso stated that this ordinance was approved in 1995 and questioned if other changes could be made at this time.

City Attorney Beach stated that once an ordinance amendment is presented, the ordinance is open for review on issues other than the issue presented.

Commissioner Macaluso stated that the intersections of Kehrs Mill Road, Wild Horse Creek Road and Long Road were not as big of a problem in 1995 as they are now. Commissioner Macaluso questioned holding this ordinance amendment until a traffic study is completed.

Commissioner Banks agreed but stated that this ordinance amendment is not going to change the density of the property already approved.

City Attorney Beach stated that the original ordinance requires traffic generation assessments be paid but that amount of money is not anywhere near the amount of money necessary.

Director of Planning Teresa Price stated that page 4 of Attachment A, Item 5.h., would be a requirement of the development that would be checked during the Site Development Plan to see if it had been done.

Chairman Layton questioned moving the building closer to Wild Horse Creek Road and the parking behind versus the parking in front and the building further back as it now stands.

Commissioner Banks stated that the petitioner could not go forward with the Site Development Concept Plan until the ordinance amendment is approved.

Commissioner Macaluso asked when the problems with the traffic would be addressed.

City Attorney Beach stated that the ordinance allows for a certain size of development and, at the time it was passed, did make some accounts (as on page 4, 5.h.) for the amounts to be assessed for the Traffic Generation Fund.

Commissioner Macaluso stated that access into the property might be affected but does not know what the petitioner is going to do because they have not yet seen the Site Development Plan. Commissioner Macaluso questioned that by approving this ordinance amendment, are they backing up traffic even more.

City Attorney Beach stated that if there are issues not answered, this ordinance amendment could be held until the issues are addressed.

The motion was repeated: Commissioner Nolen made a motion to approve the Dugsford Commons Ordinance Amendment. The motion was seconded by Commissioner Right.

Upon a roll call, the vote was as follows: Commissioner Nations, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Eifler, yes; Commissioner Macaluso, no; Chairman Layton, no.

The motion to approve this petition passes by a vote of 7 to 2.

G. **P.Z. 37-1999 THF Chesterfield Two Development, L.L.C.**: A request for a change in zoning from "NU" Non-Urban District to "PC" Planned Commercial District for a 52.6 acre tract of land located south of Chesterfield Airport Road, east of Boones Crossing and north of the St. Louis, Kansas City and Colorado Railroad

Proposed Uses:

- Associated work and storage areas required by a business, firm, or service to carry on business operations;
- Barber Shops and beauty parlors;
- Bookstores;
- Cafeterias for employees and guests only;
- 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;
- Financial institutions;
- Hotels and motels;
- Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
- Adequately screened with landscaping, fencing or walls, or any combination thereof; or
- Placed underground; or
- 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 or 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;
- Offices or office buildings;
- Public utility facilities;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, fast food;
- Restaurants, sit down;
- 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, craftpersons, 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;

- Permitted signs (See Section 1003.168 'Sign Regulations');
- 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.

Project Planner Jennifer Samson gave an overview of this petition. Ms. Samson stated that this use would be consistent with the surrounding uses and that Staff recommends approval.

Commissioner Banks stated that he questions some of the uses in Attachment A that were discussed at the issues meeting.

Commissioner Broemmer stated that he wants included that the fixtures be specified for the parking lot standards with the flat lens fixtures.

Councilmember Brown suggested that the Commission might want to hold this petition and get feedback from Staff concerning the issues that were raised this evening.

Commissioner Nations agreed with Councilmember Brown.

Commissioner Nations made a motion to hold P.Z. 37-1999 THF Chesterfield Two Development, L.L.C. until feedback is received from Staff and to have more time to study materials presented at the meeting this evening. The motion was seconded by Commissioner Macaluso.

Commissioner Macaluso asked Staff to inform the Commission of violations at the Commons.

City Attorney Beach stated what information the Commission would like reviewed:

1. Staff would review the comments and suggestions per Ms. Shu Simon's (attorney for the residents) letter as to what Staff thinks about each of the comments as they relate to the development;
2. Determine what, if any, changes need to be made in the ordinance to tighten the areas of signage and lighting.

Commissioner Nolen stated that she and Commissioner Macaluso would be absent from the next meeting (March 27, 2000).

Commissioner Nations asked Staff to address the comments as soon as possible.

Councilmember Brown stated that other issues would be the parking prohibition behind the buildings, whether there would be a request for a garden center and where that will be located, and the storage behind Lowe's.

Commissioner Eifler stated that the Commission goes to a great deal of trouble to perfect an ordinance and to include an Attachment A. Then the ordinance is approved, the building completed and then there is non-compliance. Commissioner Eifler asked Staff to work with City Attorney Beach to come up with something in Attachment A which will address the issue of more effective compliance.

The motion is repeated: Commissioner Nations made a motion to hold P.Z. 37-1999 THF Chesterfield Two Development, L.L.C. until the next meeting (March 27, 2000) and until feedback is received from Staff and to have more time to study materials presented at the meeting this evening. The motion was seconded by Commissioner Macaluso.

Upon a roll call, the vote was as follows: Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Eifler, yes; Commissioner Macaluso, yes; Commissioner Nations, yes; Chairman Layton, yes.

The motion to *hold* this petition passes by a vote of 9 to 0.

H. **P.Z. 21-1999 Chesterfield Real Estate Investors L.L.C.**: A request for a change in zoning from "M-3" Planned Industrial District to "PC" Planned Commercial District for a 28.8 acre tract of land located on Chesterfield Airport Road, eighty (80) feet west of Boones Crossing.

Proposed Uses:

- Associated work and storage areas required by a business, firm, or service to carry on business operations;
- Barber shops and beauty parlors;
- Bookstores;
- Cafeterias for employees and guests only;
- 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;
- Financial institutions;
- 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;
- Offices or office buildings;
- Public utility facilities;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, fast food;
- Restaurants, sit down;
- 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, craftpersons, 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;
- Permitted signs (See Section 1003.168 'Sign Regulations');
- 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;
- Other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

Assistant Director of Planning Laura Griggs-McElhanon gave an overview of P.Z. 21-1999 Chesterfield Real Estate Investors L.L.C. and P.Z. 22-1999 Valley Real Estate Investors L.L.C. Ms. Griggs stated that hand-outs were given to the Commission this evening. One was a letter from the petitioner's attorney, Mr. Mike Doster, dated March 28, 2000, stating some issues that Staff did not agree with and will not support. Ms. Griggs-McElhanon stated that, subject to conditions previously noted and those contained in Attachment A, as well as those contained in the Attachment A's which were handed out this evening (revised Attachment A's, March 13, 2000), Staff recommends approval of P.Z. 21-1999 Chesterfield Real Estate Investors L.L.C. and P.Z. 22-1999 Valley Real Estate Investors L.L.C.

Commissioner Broemmer asked if Staff had any comments since none of the Architectural Review Board's comments were acted upon.

Ms. Griggs-McElhanon stated that this project would return to the Architectural Review Board (ARB) for Site Development Section Plan or Site Development Concept Plan approval.

Commissioner Eifler, Planning Commission Liaison to the Architectural Review Board, stated that the main issue with the ARB was the linear look.

Ms. Griggs-McElhanon stated that Staff saw this differently than Chesterfield Towne Center in that the industrial part of Town Centre is actually the northern part which abuts Chesterfield Airport Road. The commercial part of the development is actually what is on the south. This development was flipped.

Commissioner Banks made a motion to approve P.Z. 21-1999 Chesterfield Real Estate Investors L.L.C. subject to the revised conditions handed out this evening (March 13, 2000) by Staff. The motion was seconded by Commissioner Right.

Upon a roll call, the vote was as follows: Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Eifler, yes; Commissioner Macaluso, yes; Commissioner Nations, yes; Commissioner Nolen, yes; Chairman Layton, yes.

The motion to approve this petition passes by a vote of 9 to 0.

I. **P.Z. 22-1999 Valley Real Estate Investors L.L.C.**: A request for a change in zoning from "M-3" Planned Industrial District to "PI" Planned Industrial District for a 17.226 acre tract of land located on Chesterfield Airport Road, eighty (80) feet west of Boones Crossing.

Proposed Uses:

- Animal hospitals, veterinary clinics and kennels;
- 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.
- Broadcasting studios for radio and television;
- Business, professional, and technical training schools;
- Business service establishments;
- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- Churches shall be allowed on tracts of land of at least one acre in area;
- Financial institutions;
- Fishing tackle and bait shops. Open storage and display are prohibited;
- Filling stations, including emergency towing and repair services;

- Hotels and motels;
- Laundries and dry cleaning plans, not including personal and individual drop-off and pick-up service.
- 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.
- Mail order sale warehouses;
- Manufacturing, fabrication, assembly, processing or packaging of any commodity except:
  - (i) Facilities producing or processing explosives or flammable gases or liquids;
  - (ii) Facilities for animal slaughtering, meat packing or rendering;
  - (iii) Sulphur plants, rubber reclamation plants or cement plants; and
  - (iv) Steel mills, foundries or smelters.
- Medical and dental offices;
- Office 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;
- Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities;
- Police, fire and postal stations;
- Printing and duplicating services;
- 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 theatres, 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, argricultural equipment, and boats, as well as associated repairs and necasary 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;

- Sales yard operated for a charitable purpose by a church, school, or other not-for-profit organization;
- Schools for business, professional, or technical training requiring outdoor areas for driving or heavy equipment training;
- Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftperson, 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 premises;
- Permitted signs (see Section 1003.168 'Sign Regulations');
- 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;
- Union halls and hiring halls;
- Vehicle repair facilities;
- Vehicle service centers;
- Vehicle washing facilities;
- Warehousing, storage, or wholesaling of manufactured commodities, live animals, explosives or flammable gases and liquids;
- Welding, sheet metal and blacksmith shops;
- other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

Commissioner Nations made a motion to approve P.Z. 22-1999 Valley Real Estate Investors L.L.C. subject to the revised conditions handed out this evening (March 13, 2000) by Staff. The motion was seconded by Commissioner Banks.

Commissioner Eifler stated that he has a concern about the intermingling of large trucks coming down RHL Drive and passing the two (2) cross access streets between the Commons and this development. To mitigate that circumstance, Commissioner Eifler would like an amendment to the motion.

Commissioner Eifler made an amendment to the motion to add to Section VII.A.4.d. of Attachment A: Signage prohibiting left turns for delivery vehicles onto RHL Drive between the hours of 10:00 a.m. and 8:00 p.m. shall be required at both access points.

Commissioner Eifler stated that the effect is to keep trucks from coming out of the industrial area and the shared access between the industrial and the PC areas, from turning left and exiting Chesterfield Airport Road between those hours. In order to keep trucks from turning in, you have to go to the Public Health and Safety Committee and ask them to put signage on the Chesterfield Airport Drive.

Commissioner Eifler clarified that he wants the amendment to the motion voted on separately.

Commissioner Nations suggested that in addition to putting up a sign prohibiting it, he would make the language state that those turns would not be allowed and that signs be posted.

City Attorney Beach stated that the term "delivery vehicles" could even involve pick-up trucks.

Ms. Griggs-McElhanon asked to have the hours changed from 10:00 a.m. to 7:00 p.m. because the ordinance does not allow deliveries after 7:00 p.m.

Commissioner Eifler stated that he did not want to get into a lot of detail with weight of vehicles but was looking for a simplified term and came up with delivery trucks. Commissioner Eifler stated that if that was too vague it could be changed to something more appropriate.

Commissioner Nations clarified that the trucks would exit the development, turn right and go to Edison Avenue.

Director of Planning Teresa Price stated that Commissioner Eifler's concern is that the intersection is off-site and has to be referred to the Public Health and Safety Committee to determine any signalization for entering the development. P.Z. 22-1999 Valley Real Estate Investors L.L.C. governs what is on-site.

Commissioner Nations stated that he will not accept the amendment and would like it voted on separately.

The motion was stated: Commissioner Eifler made an amendment to the motion to add to Section VII.A.4.d. of Attachment A: Signage prohibiting left turns for semi-tractor trailers onto RHL Drive between the hours of 10:00 a.m. and 8:00 p.m. shall be required at both access points.

The amendment to the motion was seconded by Chairman Layton.

City Attorney Beach stated that there would next be another amendment to the motion to prohibit southbound traffic.

Upon a roll call, the vote was as follows: Commissioner Banks, no; Commissioner Broemmer, no; Commissioner Eifler, yes; Commissioner Macaluso, no; Commissioner Nations, no; Commissioner Nolen, no; Commissioner Right, no; Commissioner Sherman, no; Chairman Layton, yes.

The amendment to the motion fails by a vote of 2 to 7.

The motion was repeated: Commissioner Nations made a motion to approve P.Z. 22-1999 Valley Real Estate Investors L.L.C. subject to the revised conditions handed out this evening (March 13, 2000) by Staff. The motion was seconded by Commissioner Banks.

Upon a roll call, the vote was as follows: Commissioner Sherman, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Eifler, yes; Commissioner Macaluso, yes; Commissioner Nations, yes; Commissioner Nolen, yes; Commissioner Right, yes; Chairman Layton, yes.

The motion to approve this petition passes by a vote of 9 to 0.

J. **P.Z. 26-1999 Solomon Consulting;** a request for a change of zoning from "NU" Non-Urban District to "PC" Planned Commercial for three parcel located north of North Outer Forty Road, east of the intersection of Chesterfield Parkway East, south of Conway Road. Total area to be rezoned: 7.3 acres. (Locator numbers 18R210032, 18R210021, 19R530254)

Proposed uses:

- Associated work and storage areas required by a business, firm, or service to carry on business operations;
- Cafeterias for employees and guests only;
- Colleges and universities;
- Financial institutions;
- Offices or office buildings;
- Parking areas including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged an immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Permitted signs (see section 1003.168 "Sign Regulations");
- Schools for business, professional or technical training, but not including outdoor areas for driving or heavy equipment training;
- Vehicle washing facilities for automobiles;
- Or any other uses permitted by the Zoning Ordinance after further public hearing.

Assistant Director of Planning Laura Griggs-McElhanon gave an overview of this petition. Ms. Griggs stated that the Commission received several hand-outs this evening. Ms. Griggs-McElhanon stated that, subject to conditions revised March 13, 2000, Staff recommends approval.

Ms. Griggs-McElhanon stated that the Comprehensive Plan was revised for this area in 1992 in recognizing approval of a rezoning for P.Z. 22-90, the Timberlake Corporate Center. Because of this rezoning, the Planning Commission updated the Comprehensive Plan. Because of this, the major office classification went from North Outer Forty Road to Conway Road. Originally, the northern portion along Conway Road was shown as single-family attached. After the approval of P.Z. 22-90, the attached single-family designation was removed from the plan in the segment from the Timberlake site westward to Bonhomme Presbyterian Church. Text revisions were made and a reference added to substantial landscape buffer.

Commissioner Nations asked for clarification on the removal from the Comprehensive Plan.

Ms. Griggs-McElhanon stated that the designation on the map itself was removed. The text makes a reference to attached single-family and then talks about an alternative – office and institutional. The map was revised to eliminate the attached single-family and shows major office all the way from Bonhomme Presbyterian Church to Timberlake up to Conway Road. The western side of Bonhomme Presbyterian still shows attached single-family along Conway Road.

Commissioner Nolen asked that when the timing of the lights occurs, a follow-up study be done which shows that it made the improvements the Commission thought it would.

Commissioner Nolen made a motion to approve P.Z. 26-1999 Solomon Consulting, subject to the conditions in the revised March 13, 2000 Attachment A as recommended by the Planning Department. The motion was seconded by Commissioner Right.

Upon a roll call, the vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Eifler, yes; Commissioner Macaluso, yes; Commissioner Nations, no; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Chairman Layton, yes.

The motion to approve this petition passes by a vote of 8 to 1.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

A. **JETCORP at Spirit of St. Louis Airport;** a Site Development Plan for a "M-3" Planned Industrial District governed by ordinance number 1430, located on the north east corner of North Bell Avenue and Edison Avenue.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan for JETCORP at Spirit of St. Louis Airport. The motion was seconded by Commissioner Right **and passes by a voice vote of 9 to 0.**

B. **Nooning Tree Plat I:** a Record Plat for a 53.9 acre "R-2" Residence District and "R-3" Residence District in a "PEU" Planned Environment Unit, located southeast of Olive Boulevard and southwest of White Road. (Ordinance Number 957)

C. **Nooning Tree Plat II:** a Record Plat for a 53.9 acre "R-2" Residence District and "R-3" Residence District in a "PEU" Planned Environment Unit, located southeast of Olive Boulevard and southwest of White Road. (Ordinance Number 957)

D. **Nooning Tree Plat III:** a Record Plat for a 19.6 acre "R-2" Residence District and "R-3" Residence District in a "PEU" Planned Environment Unit, located southeast of Olive Boulevard and southwest of White Road. (Ordinance Number 957)

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Record Plats for Nooning Tree Plat I, Nooning Tree Plat II and Nooning Tree Plat III with the requirement that a digital version of the plats be submitted. The motion was seconded by Chairman Layton **and passes by a voice vote of 8 to 1.** (Commissioner Broemmer voted nay.)

E. **Surdex:** Amended Site Development Plan for the placement of a monument identification sign for the Surdex Corporation located at 520 Spirit of St. Louis Boulevard.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan for the placement of a monument identification sign for the Surdex Corporation. The motion was seconded by Commissioner Macaluso **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** – No report
E. **Procedures and Planning Committee** – No report

X. ADJOURNMENT

A motion to adjourn was made by Chairman Layton and unanimously seconded. The motion **passes by a voice vote of 9 to 0.**

The meeting adjourned at 11:25 P.M.

Charles Eifler, Secretary