

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
April 14, 2004**

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

I. PRESENT

Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Chairman Victoria Sherman
City Attorney Doug Beach
Ms. Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill-Clay, Senior Planner
Mr. David Bookless, Project Planner
Mr. Kyle Dubbert, Project Planner
Mr. Michael Hurlbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Kathy Lone, Planning Assistant

ABSENT

Mr. B. G. Wardlaw

II. INVOCATION: Commissioner Broemmer

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Councilmember Mike Casey (Ward III) and Council Liaison Mary Brown (Ward IV).

Commissioner Layton read the first portion of the 'Opening Comments.'

IV. PUBLIC HEARINGS:

- A. **P.Z. 16-2003 THF Chesterfield Two Development, L.L.C. (Chesterfield Commons East)**: a request for a change of zoning from a “C-8” Planned Commercial District and a “PC” Planned Commercial District to a new “PC” Planned Commercial District for 61.984 acre tract of land located south of Chesterfield Airport Road, east of Chesterfield Commons Drive, west of Chesterfield Commons East Drive, and north of Edison Avenue. (Locator Numbers: 17T 23 0101, 17T 23 0079, 17T 14 0055, 17T 14 0176).

The request contains the following permitted uses:

- (e) Associated work and storage areas required by a business, firm, or service to carry on business operations.
- (h) Barber shops and beauty parlors.
- (i) Bookstores.
- (l) Cafeterias for employees and guests only.
- (n) Colleges and universities.
- (q) Film drop-off and pick-up stations.
- (s) Financial institutions.
- (v) Hotels and motels.
- (w) Local public utility facilities, provided that any installation, other than poles and equipment attached to poles, shall be:
 - (i) Adequately screened with landscaping, fencing, or walls, or any combinations thereof; or
 - (ii) Placed underground; or
 - (iii) Enclosed in a structure in such manner so as to blend with and complement the character of the surrounding area.

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.

- (x) Medical and dental offices.
- (z) Offices or office buildings.
- (hh) Restaurants, fast food.
- (ii) Restaurants, sit down.
- (mm) Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
- (nn) 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.

(pp) Permitted signs (see Section 1003.168 'Sign Regulations').

(rr) Stores, shops, markets, service facilities and automatic vending machines in which goods or services of any kind, including indoor sale of motor vehicles, are offered for sale or hire to the general public on the premises.

Project Planner Michael Hurlbert gave a power point presentation showing the subject site and surrounding area.

1. Mr. Mike Doster, Doster Mickes James Ullom, LLC, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for and speaking in favor of **P.Z. 16-2003 THF Chesterfield Two Development, L.L.C. (Chesterfield Commons East)**, stated the following:

- Requesting to increase the number of anchor buildings from one (1) to two (2);
- Requesting to incorporate existing ordinances that govern Chesterfield Commons East (#1653, #1765 and #1864);
- Requesting to increase the allowable square footage from 265,268 square feet to 365,268 square feet (the square footage for the second anchor building);
- Requesting to incorporate Outparcel 17 and a small portion of Outparcel 15 from Chesterfield Commons into Chesterfield Commons East;
- Parking is at 1,808 spaces for the development as proposed to be expanded (5.33/1000) which is less than the required 5.5/1000 parking ratio;
- Petitioner has not decided whether to request a parking reduction for the difference. If the petitioner does not request a parking reduction, he will only build what can be parked so the requested 100,000 square footage would be reduced;
- Currently, there are not any tenants for the additional 100,000 square feet;
- A designated portion of the property south of Edison Road will be dedicated to the Levee District.

COMMENT/DISCUSSION

City Attorney Doug Beach stated that a settlement to a lawsuit with THF Realty will allow fast-food restaurants but not drive-throughs. Mr. Beach stated that this will be in the Attachment A.

Mr. Beach stated that Outparcel 17 has drainage issues which currently are related to the Chesterfield Commons development.

Mr. Doster stated that only the dry portion (which is north of the drainage basin) of Outparcel 17 will be required for the additional 100,000 square feet.

Mr. Beach stated that Mr. Dean Burns, of THF Realty, has indicated that the portion of Edison Road in this proposal will be dedicated to the City of Chesterfield.

Mr. Doster stated that a Record Plat for Chesterfield Commons East is still pending and he cannot comment at this time.

Mr. Beach stated that this problem needs to be resolved as part of this rezoning.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Mr. Hurlbert stated that the following issues would be reviewed and addressed:

- Clarification of fast-food restaurants without drive-throughs;
- Drainage issues for Outparcel 17 with regards to Chesterfield Commons;
- Issues surrounding the Edison Avenue dedication;
- The maximum square footage allowed for Outparcel 17 under the Commons ordinance;
- Parking;
- Green space ratio with the additional parking and how it would be affected if reduced or increased;
- New lighting standards incorporated into the ordinance;
- Overhang protection for pedestrians on the new building and improve on what is existing;
- Incorporate the Commons palette;
- Signage for the development.

Chairman Sherman stated that **P.Z. 16-2003 THF Chesterfield Two Development, L.L.C. (Chesterfield Commons East)** would be held until all issues are reviewed and addressed.

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

V. APPROVAL OF MEETING MINUTES

Commissioner Hirsch made a motion to approve the March 22, 2004 Meeting Minutes. The motion was seconded by Commissioner Perantoni and **passes** by a voice vote of 8 to 0.

VI. PUBLIC COMMENT -

1. Mr. Mike Doster, Doster Mickes James Ullom, LLC, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for and speaking in favor of **P.Z. 30-2002 Edison South Investors, L.L.C.**:

- Speaker stated that the engineer for this project, Mr. George Stock, would review the project with the Planning Commission since there has been a delay since the Public Hearing to resolve some issues;
- Speaker stated that permitted use '(xx) 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,' has been deleted and he will send a letter to Staff to verify this.

2. Mr. George Stock, Stock and Associates, 257 Chesterfield Business Parkway, Chesterfield, MO 63005, engineer for and speaking in favor of **P.Z. 30-2002 Edison South Investors, L.L.C.**:

- Speaker gave a power point presentation showing the subject site;
- Speaker stated that the site is 7.21 acres with more than 700 feet of frontage along Edison Road and 450 feet deep (perpendicular to Edison Road);
- Speaker stated that this is a continuation of Spirit Trade Center with similar uses and similar building product;
- Speaker stated that the preliminary plan indicates four (4) lots;
- Speaker stated that the primary access would be the extension of Cepi Drive;
- Speaker stated that buildings on the lot range from 18,000 square feet to 23,000 square feet;
- Speaker stated that the use would be mixed office/warehouse use;
- Speaker stated that Spirit Trade Center does not have a green space requirement. The guidelines for the Valley are 30% and the plan that is drawn shows a little over 25% green space. The development immediately to the east, House of Denmark, has a green space of 26%;
- Speaker stated that the site has utilities.

Commissioner Macaluso stated that if the petitioner is going to have only 25% green space, she would like to see interesting landscaping to justify not having 30% green space.

3. Mr. John Wagner, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, speaking in favor of **P.Z. 37-2003 THF Chesterfield Commons Six**;
 - Speaker stated that he was present to answer questions;
 - Speaker stated that the petitioner could work with 30-foot light poles.

4. Mr. Kent Kehr, 13334 Fairfield Square, Town and Country, MO, speaking in favor of **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreens)**;
 - Speaker stated that with allowing a curb cut (Right-In/Right-Out) on Long Road, there will be less weaving to make a left turn onto Chesterfield Airport Road;
 - Speaker stated that he believes that most of the traffic would continue south on Long Road;
 - Speaker stated that he sent a letter to City Attorney Doug Beach that he will work with the City and enter into an agreement that would give up the right for a full intersection on the petitioner's property (immediately to the east on the other side of Long Road) and there would not be any right-in/right-out –it would be abandoned – in exchange for this right-in/right-out. Speaker stated that the State does not have a problem with this.

5. Mr. Chris Kehr, 13 Briarbrook Trail, St. Louis, MO 63131, speaking in favor of **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreens)**;
 - Speaker stated that he was present to answer questions.

6. Mr. Terry Barnes, Koman Properties, 8027 Forsyth, St. Louis, MO, petitioner and speaking in favor of **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreen's)**;
 - Speaker stated that Walgreens is a convenience business for shoppers.

7. Ms. Julie Nolfo, Crawford, Bunte, Brammeier, 1830 Craig Park Court, Maryland Heights, MO 63146, traffic engineer and speaking neutral for **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreens)**;
 - Speaker stated that she would rather see right-in/right-out on the west side of Long Road as opposed to full access on the east side of Long Road;
 - Speaker stated that the City will be able to delete the right-in/right-out if it proves to be problematic.

8. Ms. Jennifer Lyons, 6700 Antioch #300, Merriam, KS 66204, speaking in favor of **Wal-Mart Garden Center (Chesterfield Commons)**;
 - Speaker stated that she was present to answer questions.
9. Mr. Andy Sutton, Volz Engineering, 10849 Indianhead Industrial Boulevard, St. Louis, MO 63132, speaking in favor of **Sheridan's Frozen Custard (Hilltown Village Center)**;
 - Speaker stated that he was present to answer questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Wal-Mart Garden Center (Chesterfield Commons)**: Amended Site Development Section Plan, Landscape Plan, and Architectural Elevations for an expansion to an existing garden center located in a "C-8" Planned Commercial District within the Chesterfield Commons development, west of Chesterfield Commons Drive on the south side of Chesterfield Airport Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Section Plan, Landscape Plan and Architectural Elevations for **Wal-Mart Garden Center (Chesterfield Commons)** with the assurance that the outdoor space addition bounded by decorative fencing shall only be used for the display and sale of seasonal merchandise for sale, that yews will be planted no greater than 42 inches on center maximum, and that the yews will be 32-inches tall or greater or as approved by Staff if 32-inch specimens are unavailable. The motion was seconded by Commissioner Hirsch and **passes by a voice vote of 8 to 0.**

- B. **Surdex (Spirit of St. Louis Airpark)**: Site Development Section Plan, Landscape Plan, and Architectural Elevations for a hanger/office facility located in an "M-3" Planned Industrial District within the Spirit of St. Louis Airpark at 594 Beechcraft Avenue.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Landscape Plan and Architectural Elevations for **Surdex (Spirit of St. Louis Airpark)** with the Architectural Review Board's (ARB) recommendation for a sinuous row of trees or shrubs to be added along the length of the north boundary adjacent to Edison Road. The motion was seconded by Commissioner Broemmer and **passes by a voice vote of 8 to 0.**

- C. **Chesterfield Professional Park (formerly Chesterfield West Executive Center)**: Sign Package for a 2.5-acre “PC” Planned Commercial District located on the north side of Olive Boulevard, northeast of the Wellesley Place subdivision and southwest of West Drive.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Sign Package for **Chesterfield Professional Park (formerly Chesterfield West Executive Center)** which will include the landscaping proposed on the plan. The motion was seconded by Commissioner O’Connor and **passes** by a voice vote of 8 to 0.

- D. **Sheridan’s Frozen Custard (Hilltown Village Center)**: Site Development Section Plan, Architectural Elevations, Landscape Plan, Lighting Plan and Sign Package for a 1.097 acre site located in a “C-8” Planned Commercial District located at the intersection of Olive Boulevard and Chesterfield Parkway West.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan for **Sheridan’s Frozen Custard (Hilltown Village Center)**. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 8 to 0.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Architectural Elevations for **Sheridan’s Frozen Custard (Hilltown Village Center)** with the removal of the ice cream cones. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 8 to 0.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Landscape Plan for **Sheridan’s Frozen Custard (Hilltown Village Center)** with the addition of more evergreens to be approved by Staff. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 8 to 0.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Lighting Plan for **Sheridan’s Frozen Custard (Hilltown Village Center)**. The motion was seconded by Commissioner O’Connor and **passes** by a voice vote of 8 to 0.

Commissioner Macaluso stated that the Sign Package for **Sheridan’s Frozen Custard (Hilltown Village Center)** will be resubmitted for approval.

- E. **Junior Achievement**: Sign Approval for Junior Achievement zoned “PI” Planned Industrial District located north of North Outer 40 Road and West of Boone's Crossing.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Sign Package for **Junior Achievement**. The motion was seconded by Commissioner O’Connor and **passes** by a voice vote of 7 to 1. (Commissioner Banks voted nay.)

- F. **Wildhorse Acres:** a Site Development Plan consisting of two lots in an "E One Acre" Estate Residence District for 2.62 acres of land located on the north side of Wildhorse Creek Road across from Eagle Crest Estates. (Locator Number: 18U-34-0101)

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan for **Wildhorse Acres**. The motion was seconded by Commissioner Layton and **passes by a voice vote of 8 to 0.**

- G. **Terra Vista (Formerly Mill Valley Estates):** Site Development Plan, for "R-2"/"FPR-2" Planned Environment Unit Development located on the west side of Creve Coeur Mill Road, north of Olive Boulevard.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan for **Terra Vista (Formerly Mill Valley Estates)**. The motion was seconded by Commissioner O'Connor and **passes by a voice vote of 8 to 0.**

- H. **Mobil on the Run (Clarkson Road):** Amended Site Development Plan, Architectural Elevations and Landscape Plan for a gas station/convenience store in a "C-8" Planned Commercial District in Clarkson Square Shopping Center located on the west side of Clarkson Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan, Architectural Elevations and Landscape Plan for **Mobil on the Run (Clarkson Road)** with the addition of one (1) tree on the north island, 'Exit Only' painted on the pavement and a 'Do Not Enter' sign. The motion was seconded by Commissioner Hirsch and **passes by a voice vote of 8 to 0.**

Commissioner Macaluso stated that plans for the canopy and lighting will be resubmitted.

- I. **Bettie Gershman c/o Custom Sign Co:** Sign approval for Chesterfield Plaza, zoned "C-2" Shopping District, located at the intersection of Olive and Woodsmill Road. (16Q331020).

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Sign for **Bettie Gershman c/o Custom Sign Co**, which will reduce the size of the existing sign by almost 50 percent (50%) and the colors of the sign will be the same and will match the shopping center. The motion was seconded by Commissioner Broemmer and **passes by a voice vote of 8 to 0.**

VIII. OLD BUSINESS –

- A. **P.Z. 30-2002 Edison South Investors, L.L.C.:** A request for a change of zoning from an “M-3” Planned Industrial District to a “PI” Planned Industrial District for a 7.123 acre tract of land located on the south side of Edison Avenue at Cepi Drive (Locator Number 17V310081).

Proposed Uses:

Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular “PI” Planned Industrial District and shall be taken from the following list. Uses requested are to be representative of those proposed to be developed:

- (f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
- (j) Business, professional, and technical training schools.
- (q) Financial institutions.
- (bb) Laundries and dry cleaning plants, which include dry cleaning drop-off and pick-up stations.
- (dd) Mail order sale warehouses.
- (ee) Manufacturing, fabrication and processing of flammable gases, liquids, and explosives.
- (ff) 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.
- (ii) Offices or office buildings.
- (mm) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- (nn) Police, fire, and postal stations.
- (oo) Printing and duplicating services.
- (pp) Public utility facilities.
- (qq) Radio, television, and communication studios, transmitting or relay towers, antennae, and other such facilities no greater in height than two hundred (200) feet above the average ground elevation at the perimeter of such structure.
- (tt) Recreational facilities, indoor and ~~illuminated outdoor~~ facilities, including swimming pools, ~~golf courses~~, golf practice ranges, tennis courts, and gymnasiums, and indoor theaters, including ~~drive-in theaters~~.

- (uu) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- (xx) 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.
- (yy) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture.
- (bbb) Schools for business, professional, or technical training requiring outdoor areas for driving or heavy equipment training.
- (ccc) 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.
- (ooo) Vehicle repair facilities.
- (ppp) Vehicle service centers.
- (qqq) Vehicle washing facilities.
- (rrr) Warehousing, storage, or wholesaling of manufactured commodities, ~~live animals, explosives,~~ or flammable gases and liquids.
- (sss) Welding, sheet metal, and blacksmith shops.
- (ttt) Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

Ancillary Uses:

- (g) Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
- (m) Child care centers, nursery schools, and day nurseries.
- (jj) Outdoor advertising sign (additional to provisions of Section 1003.168.).
- (ll) 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.
- (eee) Permitted signs (See Section 1003.168 'Sign Regulations').

Project Planner Michael Hurlbert gave an overview of **P.Z. 30-2002 Edison South Investors, L.L.C.** and stated that the petitioner has agreed to delete permitted use '(xx) 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.’ Mr. Hurlbert asked the Planning Commission if they had additional issues to be reviewed and addressed.

Mr. Hurlbert stated that the following additional issues will be reviewed and addressed:

- If the green space is reduced by 5%, will there be substantial landscaping to make up for the loss;
- Making the buildings the size necessary for the green space percentage requirement.

Chairman Sherman stated that **P.Z. 30-2002 Edison South Investors, L.L.C.** would be held until all issues are reviewed and addressed.

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

Project Planner Kyle Dubbert gave an overview of **P.Z. 30-2003 City of Chesterfield (Medical Use District)**.

Commissioner Macaluso expressed concern with ‘Section 7. *Development Criteria*, (4) General Yard Criteria, (b) All Medical Use developments must be **consistent** with adjoining developments.’ Commissioner Macaluso stated that if a medical use is submitted next to a residential development, how is that consistent or compatible?

City Attorney Doug Beach suggested removing the sentence from Attachment A.

Commissioner Hirsch made a motion to approve **P.Z. 30-2003 City of Chesterfield (Medical Use District)** with the following changes:

Section 5. *Conditional land use and development permits issued by the Commission.* (c) ~~Medical use incinerators with the necessary permits from the State Department of Health.~~ Add statement that ‘medical use incinerators are not allowed.’

Section 7. *Development Criteria*, (4) General Yard Criteria, (b) ~~All Medical Use developments must be consistent with adjoining developments.~~ Additional setbacks and/or buffers may be required by condition if necessary to ensure compatibility with adjoining developments or uses.’

The motion was seconded by Commissioner Macaluso.

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

The motion passes by a vote of 8 to 0.

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

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

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

Senior Planner Annissa McCaskill-Clay gave an overview of **P.Z. 37-2003 THF Chesterfield Commons Six** and stated that the petitioner has amended their petition to request a height of thirty (30) feet for light poles to be more in line with other developments adjacent to this site. Ms. McCaskill-Clay stated that Attachment A limits the number of drive-through restaurants for fast food to four (4) at this site.

Commissioner Macaluso expressed concern with the traffic problem with too many drive-through restaurants.

Commissioner Hirsch made a motion to approve **P.Z. 37-2003 THF Chesterfield Commons Six** that would allow drive-through restaurants on the outparcels and a height of 30-feet for light poles exclusive of the three- (3) foot base of the pole. The motion was seconded by Commissioner Banks.

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

The motion passes by a vote of 7 to 1.

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

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

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

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

Senior Planner Annissa McCaskill-Clay gave an overview of **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreens)** and stated that the petitioner is requesting the number of lots to increase from six (6) to seven (7), change the number of buildings on the site, and to allow for access from Long Road. Ms. McCaskill-Clay stated that the Department of Public Works will allow right-in/right-out only onto Long Road but in the future if a problem develops with this access, the petitioner could be required to remove the right-out within sixty (60) days of receiving written notification from the City of Chesterfield. Ms. McCaskill-Clay stated that the total square footage for both buildings on the parcel has been changed from 21,900 square feet to 17,929 square feet. Ms. McCaskill-Clay stated that the access on Long Road would be approximately 270 feet from the intersection of Long Road and Chesterfield Airport Road.

City Attorney Doug Beach stated that an agreement would be worked out before this project is presented to the City Council concerning access on the east side.

Commissioner Macaluso made a motion to approve **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreens)**, per Attachment A. The motion was seconded by Commissioner Banks.

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

The motion passes by a vote of 6 to 2.

- E. **P.Z. 4-2004 City of Chesterfield (Residential Service Area)**: A request to amend Section 1003.182 of the Zoning Ordinance to establish new criteria for a Residential Service Area (currently known as Commercial Service Procedure.)

Project Planner Aimee Nassif gave an overview of **P.Z. 4-2004 City of Chesterfield (Residential Service Area)** and asked the Planning Commission if they had additional issues to be reviewed and addressed.

Commissioner Hirsch suggested different wording for **2. Purpose and Intent**, first sentence with the word 'limited' being used twice in the sentence.

Commissioner Hirsch suggested proposed language for page 2, **8. Parking**, that there were suggestions by a member of City Council with regards to parking that the number of parking places would be limited to four (4) parking spaces in the rear or side and two (2) visible in the front and if there are any uses in the parking ordinance that require greater number of parking spaces then that use would not be allowed under the Residential Service Area (RSA).

Chairman Sherman suggested that if that is the intent (above), then remove the word 'visible' from the page 2, **8. Parking**.

City Attorney Doug Beach stated that if parking in **8. Parking** is limited to six (6), then **Section 11. Structures** will need to be rewritten since uses are tied to parking.

Ms. Nassiff stated that page 10, **Section 17. (3)** says that, 'Applications for requests to change an approved permitted use of a residential service area (residential business use area) shall require a new public hearing.'

Commissioner Hirsch stated also that **11. Structures** is inconsistent with **Section 17. (3)**.

Commissioner Macaluso suggested changing the wording of the following: Page 6, **Section 13. Procedures. (5) Rezoning**. 'Applications for rezoning ~~can~~ **are encouraged to** be filed simultaneously with the application for residential service area.'

Mr. Beach suggested adding that the rezoning must be approved prior to the consideration of the Residential Business Use Area (RBU) and possibly adding it to **Section 5. Location**.

Commissioner Layton suggested that Residential Business Use Area (RBU) be the name of the overlay.

Ms. Nasiff suggested editing the tables to make them more readable.

Chairman Sherman stated that **P.Z. 4-2004 City of Chesterfield (Residential Service Area)** would be held until all issues are reviewed and addressed.

IX. NEW BUSINESS –

- A. St. Louis Family Church:** An amendment to City of Chesterfield Ordinance Number 1679 relating to the St. Louis Family Church development, zoned “PI” Planned Industrial District located on the south side of Chesterfield Airport Road, west of Valley Center Drive.

Project Planner David Bookless gave an overview of **St. Louis Family Church** and stated that the request is to change the square footage requirement for the development from 65,000 square feet to 96,000 square feet to add an addition to the church. Mr. Bookless stated that currently the church has more parking than is required.

Commissioner Broemmer made a motion to approve the ordinance amendment for **St. Louis Family Church**. The motion was seconded by Commissioner O’Connor.

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

The motion passes by a vote of 8 to 0.

X. COMMITTEE REPORTS:

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

Committee Chairman Macaluso stated that the Landscape Committee has been working on a new tree ordinance and landscape plan.

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

Chairman Sherman stated committee chairmen will now do scheduling of committee meetings and then inform Staff.

Mr. Beach stated that the committee chairman need to only discuss when the meeting will be held and not content.

Mr. Beach commended the Planning Commission and Staff for their job on the Comprehensive Plan.

Commissioner Macaluso expressed concern with ordinance amendments to change the square footage in a development and not requiring a public hearing.

Director of Planning Teresa Price stated that ordinance amendments are advertised if there is a change in use or legal description for the property.

Chairman Sherman asked Staff to place this item on an agenda for the Procedures and Planning Committee.

Commissioner Banks asked that the entire Planning Commission be notified of this meeting.

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

B. G. Wardlaw, Secretary

