

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 8, 2006**

The meeting was called to order at 7:05 p.m.

Chair Macaluso addressed the audience noting that the agenda includes a Site Plan for St. Luke's Hospital. This portion of St. Luke's has already been approved for rezoning by City Council. The Planning Commission will be reviewing only the Site Plan tonight. She clarified that this Site Plan is separate from the rezoning request presented at the April 24th Public Hearing.

I. PRESENT

ABSENT

Mr. David Asmus
Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Tom Sandifer
Ms. Victoria Sherman
Chairman Stephanie Macaluso

City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Ms. Libbey Simpson, Assistant City Administrator for Economic
& Community Development
Ms. Teresa Price, Director of Planning
Ms. Anissa McCaskill-Clay, Assistant Director of Planning
Ms. Aimee Nassif, Senior Planner
Ms. Mara Perry, Senior Planner
Ms. Mary Ann Madden, Planning Assistant

Chair Macaluso acknowledged the attendance of Councilmember Jane Durrell, Ward I; Councilmember Connie Fults, Ward IV; and City Administrator Mike Herring.

II. INVOCATION: Commissioner Sandifer

III. PLEDGE OF ALLEGIANCE – All

IV. PUBLIC HEARINGS - None

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the minutes of the April 24, 2006 Planning Commission Meeting. The motion was seconded by **Commissioner Sherman** and **passed by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT

RE: P.Z. 9-2006 St. Luke's Episcopal Presbyterian Hospitals (Parcel D)

Speakers in Opposition:

1. Mr. Gary Seigal, 14018 Boxford Court, Chesterfield, MO expressed concern about the following issues:
 - Water problems, in particular, potential flooding from the creek.
 - The size of the proposed buildings and parking garages, in particular, the above-ground size of the buildings.
 - Potential disturbances from lighting and noise.
 - Biomedical waste. He questioned whether it would show up in the common ground and creek; and whether the grounds and water would be tested on a regular basis to insure there are no problems.
 - Potential major increase in traffic resulting from the proposed project.
 - He questioned when and where the expansion would end. He had concerns that more contiguous land would be purchased and developed; and that building would take place in the existing common grounds.
 - Since the project is a long-term one, he asked the Commission to postpone the vote on the rezoning until more information is available.

2. Mr. James Mettes, 17357 Conway Road, Chesterfield, MO expressed concern about the following issues:
 - A commercial development in a residential area.
 - Traffic concerns not being addressed.
 - Creating a commercial eyesore on top of the hill.
 - Possibility of losing part of his property because of traffic changes from the proposed project. He indicated that he currently has survey stakes just outside his property boundary.

3. Mr. Marc Flanders, 14022 Boxford Court, Chesterfield, MO stated the following:
 - He feels the rezoning decision should be postponed since the project is a long-term one.

- He does not feel issues raised at the time of the prior rezoning of Parcels A and B have been resolved – such as, increased traffic and the character of the neighborhood in terms of high-rise buildings.
- He does not feel St. Luke's is serving its neighbors if they are creating traffic jams and character damage to the community.
- He asked that the issues be resolved before rezoning is granted.

Commissioner Sandifer noted that the speakers have referred to the project as being a 15-20 year plan. He pointed out that part of the construction will begin in the very near future on those parcels that have been previously approved.

4. Ms. Jo Ann Black, 148 Saylesville Drive, Chesterfield, MO stated the following:
 - She would like the decision to rezone to be postponed until further investigation is done on issues raised earlier.
 - The proposed project contradicts Chesterfield's Comprehensive Plan, which outlines that commercial construction should be limited to the Highway 40 Corridor.
 - She noted that over 25% of Chesterfield's land is still available for development and felt it is irresponsible to put commercial development in a residential area.
 - Residents of Green Trails subdivision did not learn of the proposed rezoning until recently.
 - The trees shown on the computerized site plans show trees in full bloom. When the trees are not in full bloom, they will not adequately screen the buildings.
 - She has not been able to find another parking garage in Chesterfield as large as the one being proposed. She noted that the Drury Inn has its parking garage underground.
 - The residents are willing to meet with those concerned to see if a compromise can be reached with respect to: fewer buildings; fewer square feet; having the buildings closer to Woods Mill Road; having the buildings partially underground; and less density.

Commissioner Sandifer asked if she had approached St. Luke's for a possible meeting regarding her concerns. Ms. Black replied that she has spoken to Mr. Don Miller, Financial Chair, about her concerns but was not given any kind of timetable when the expansion would take place.

5. Ms. Julia Lega, 16266 Lea Oak Court, Chesterfield, MO passed on speaking.
6. Mr. Paul Kravitz, 123 Saylesville Drive, Chesterfield, MO questioned why the building on Parcel B was being constructed the full five stories when there are commitments for only two stories.

Chair Macaluso replied that the Ordinance for Parcel B allows for a five-story building. The developer has presented an Amended Site Plan changing the plans from a two-story building to a five-story building because funding is now available for the full five stories.

Mr. Kravitz then asked those residents opposed to the expansion into Parcel D to stand. It was noted that a majority of the audience stood.

Speakers – Neutral:

1. Mr. Mike Horton, Trustee for Ladue Trails, 14151 Ladue Road, Chesterfield, MO stated the following:
 - The residents are concerned about the traffic in the area.
 - They ask that all City officials assert any push or influence on MoDOT and St. Luke's to insure that road improvements are implemented and built between Conway and Ladue on 141 prior to any new development by St. Luke's.
 - They strongly feel that the roadwork should come before the development.
 - They ask that St. Luke's assert any push or influence on MoDOT to make the new roadwork a priority.
 - The residents question why there is a hurry to rezone when the new building has not yet broken ground.
 - Speaker noted that the Public Hearing Notice states under "Ancillary Uses" item (u) – Terminals for busses and mass transit. He questioned whether the terminals are covered bus stops and areas for taxis or whether "terminals" mean an actual building to house and service mass transit. The residents would oppose the latter.
 - Before the rezoning is approved, he requested that the Commission allow the residents time to meet with representatives from MoDOT and St. Luke's.

Commissioner Sandifer asked if a meeting has been requested with St. Luke's yet. Mr. Horton stated that he spoke briefly to Mr. Miller but nothing has been scheduled yet.

2. Ms. Peggy Shaw, 188 Saylesville, Chesterfield, MO stated the following:
 - She agrees with the previous concerns expressed.
 - She requested that something be put in writing prohibiting the development of the land west of the creek.
 - She requested that St. Luke's plant as many evergreen trees as possible to decrease the visibility of the proposed buildings.
 - She feels that the residents were not properly notified of the proposed rezoning. She questioned how residents will be notified in the future so that they can be part of the process.

Chair Macaluso stated that all agendas for both the Planning Commission and the Planning & Zoning Committee are published on the City's website. Residents are always welcome to speak on any items of concern – whether it is on the agenda or not. Ms. Teresa Price, Director of Planning, stated that the agendas for the Planning Commission meetings are posted on the Wednesday prior to the Monday meetings. The planner assigned to the project is always available to answer any questions.

Petitioner:

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
 - Regarding Parcel D, the developer will take the responsibility to notify the residents of the next upcoming meetings.
 - St. Luke's is in receipt of the issues letter from the City. St. Luke's will address the issues and submit comments to the City. At the time the comments are submitted to the City, they will notify the property owners that there will be an upcoming meeting. He requested a list of the key contact people. (Chair Macaluso suggested that the key people contact Ms. McCaskill-Clay so that she can assemble a list.)

Mr. Stock then made a presentation to the members of the audience regarding Parcel B, the property immediately west of 141 and immediately north of the Willows at Brookings Park. He stated the following:

- The ordinance approved in December 2005 for Parcel B allows the construction of a five-story office building, a future office building, and two parking garages.
- Tonight's request is for approval of the construction of the combination two-story and five-story office buildings, as well as two surface parking lots.
- Four weeks ago, the developer asked approval for the same Site Plan – the same amount of parking and the same buildings, with the exception that the request was for two 2-story buildings.
- The program that is in place is 74,000 sq. ft. of ambulatory space. Funds have become available to allow the construction of all five stories of one office building. Three levels will remain unoccupied at this time. Prior to occupancy of these three floors, the developer will submit an amended plan because additional parking will have to be provided.
- As part of the project of the 74,000 sq. ft. building, Woods Mill Road will be relocated as it exists today - moving the intersection approximately 300 feet to the west and putting in additional left-hand turns at 141. These improvements will mitigate the increased traffic related to the building and development on Parcel B.

RE: P.Z. 37-2005 143 Long Road (Jack Wolf Property)

Petitioner:

1. Mr. Jack Wolf, 109 Long Road, Chesterfield, MO stated he was available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **St. Luke's Hospital (Parcel B):** Amended Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations for 22.21 acres of land zoned "MU" Medical Use District located on the northwest corner of Highway 141 (Woods Mill) at the intersection with St. Luke's Drive.

Commissioner Asmus, representing the Site Plan Committee, made a motion to approve the Amended Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations. The motion was seconded by Commissioner O'Connor and **passed by a voice vote of 7 to 2.** (Commissioners Banks and Sandifer voted "no".)

- B. **St. John's Rehabilitation Facility:** Site Development Plan, Lighting Plan, Architectural Elevations and Landscape Plan for a 6.048-acre "PC" Planned Commercial District located South of Conway Road, approximately 900 feet east of Still House Creek Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion to accept the Site Development Plan, Architectural Elevations, Landscape Plan, and Lighting Plan with the condition that the Lighting Plan be in conformance with the City's Zoning Ordinance regarding lighting. The motion was seconded by Commissioner Broemmer and **passed by a voice vote of 9 to 0.**

VIII. OLD BUSINESS

- A. **P.Z. 37-2005 143 Long Road (Jack Wolf Property):** A request for rezoning from "M3" Planned Industrial and "PI" Planned Industrial to "PI" Planned Industrial district for two parcels totaling .5-acres located on the west side of Long Road, south of Chesterfield Airport Road. (LOCATOR NUMBERS 17U120045 and 17U140524)
Proposed Uses:
 - (gg) Medical and dental offices.
 - (ii) Offices or office buildings.

Ms. Anissa McCaskill-Clay, Assistant Director of Planning, stated the Public Hearing was held on January 23, 2006. At that time, no issues were raised.

During the prior Work Session, Commissioner Perantoni brought up an issue under "Loading Space Setbacks", which will be corrected from 15 feet to 5 feet from the southern boundary of the PC District.

Commissioner Hirsch made a motion to approve P.Z. 37-2005 143 Long Road (Jack Wolf Property) with its Attachment A as corrected below:

Section I.E.3. Loading Space Setbacks

- b. **Fifteen (15) Five (5)** feet from the southern boundary of the PC District.

The motion was seconded by Chair Macaluso.

Upon roll call, the vote was as follows:

Aye: Commissioner Sandifer, Commissioner Sherman, Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Hirsch, Commissioner O'Connor, Commissioner Perantoni, Chairman Macaluso

Nay: None

The motion passed by a vote of 9 to 0.

- B. P.Z. 6-2006 City of Chesterfield ("WH" Wild Horse Creek Road Overlay):** A request to repeal Section 1003.110 "Urban District Regulations" of the City of Chesterfield Code and to establish a new Section 1003.110 "WH" Wild Horse Creek Road Overlay. Said new section provides general and specific development criteria for all properties in the area known as the "Wild Horse Creek Road Sub-Area" in the City of Chesterfield Comprehensive Plan.

Ms. Anissa McCaskill-Clay, Assistant Director of Planning, stated the Public Hearing was held on March 27, 2006. The Issues Meeting was held on April 10th at which time several issues were discussed.

The Staff Report includes an email from Commissioner Hirsch regarding Non-Residential Uses in the E-Districts and questions whether or not there should be a limitation on them in the overlay.

Ms. McCaskill-Clay noted that there are specific criteria for the E-Districts and that the overlay includes additional criteria. She stated that if a Petitioner came forward with a plan requesting a use other than the Non-Residential Uses permitted by the E-Districts, he would have to deal not only with the criteria of the Comprehensive Plan, but also with the criteria of the overlay. The Petitioner would be required to explain why the requested use would be appropriate for the subject site.

Commissioner Hirsch questioned whether a CUP would be required for a private or public stable under an E-District zoning. Ms. McCaskill-Clay replied that a CUP would not be required for a private stable, as it is a permitted ancillary use for an E-District. The E-District Ordinance states that riding stables and kennels are permitted non-single family uses. The Ordinance does not specifically refer to a Conditional Use Permit.

Commissioner Banks questioned whether a Public Hearing would be required for a riding stable on a five-acre lot. Ms. McCaskill-Clay replied that a Hearing would be required. Any time there is a change to the legal boundary of the property or to the uses of the property, statute requires that there be a Public Hearing.

Ms. Teresa Price, Director of Planning, stated that petitions within the Wild Horse Creek Road Overlay will have to address the criteria included in the overlay – such as zoning, density, traffic, etc.

Chair Macaluso questioned whether one vote would be necessary for a rezoning and its non-residential use or whether a separate vote would be necessary for the non-residential use. City Attorney Heggie stated that he would review the process and give a definitive answer to the Commission by its next meeting.

Chair Macaluso made a motion to hold P.Z. 6-2006 City of Chesterfield (“WH” Wild Horse Creek Road Overlay) until May 22, 2006. The motion was seconded by Commissioner Sandifer and **passed** by a voice vote of 8 to 1. (Commissioner Hirsch voted “no”.)

IX. NEW BUSINESS

A. St. Luke’s Hospital

Commissioner Banks referred to the property west of the creek being kept undeveloped and asked if this had been an issue sent to the Petitioner for comment. Ms. McCaskill-Clay replied that the Petitioner was asked to address the issue of “development of the area west of the creek”.

Commissioner Banks asked that the issue be enhanced to include a discussion about the possibility of a set-aside or having the property marked “do not disturb” to prevent future development.

X. COMMITTEE REPORTS

A. Committee of the Whole

B. Ordinance Review Committee

C. Architectural Review Committee

D. Landscape Committee

E. Comprehensive Plan Committee

F. Procedures and Planning Committee

G. Landmarks Preservation Commission

H. Planning & Zoning Committee – Chair Macaluso reported that the Committee amended the Attachment A for the Manors at Schoettler Valley to remove the island in the cul-de-sac, in conjunction with the recommendation from the Public Works Department.

I. Nominating Committee – Chair Macaluso announced that a Nominating Committee has been appointed including Commissioner Sandifer, Commissioner Hirsch, and Commissioner O’Connor. The Nominating Committee will be giving its report at the June 12th meeting.

XI. ADJOURNMENT

The meeting adjourned at 8:11 p.m.

Lynn O’Connor, Secretary