

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 12, 2008**

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

I. RECOGNITION OF PAST PLANNING COMMISSIONERS

Chair Hirsch presented plaques to three past members of the Planning Commission recognizing and honoring their service to the City.

- **Thomas Sandifer** was a member of the Commission from 2004-2006 and served as Vice-Chair in 2006.
- **Lynn O'Connor** served on the Planning Commission from 2003-2007 and served as Secretary from 2004-2006.
- **Victoria Sherman** was a member of the Commission from 1991-1994, and from 1998-2007. During this time, Ms. Sherman served as Chair from 2002-2005 and Secretary from 2000-2002.

II. ROLL CALL

PRESENT

Mr. David Banks
Mr. Fred Broemmer
Mr. G. Elliot Grissom
Ms. Amy Nolan
Ms. Lu Perantoni
Mr. Gene Schenberg
Mr. Michael Watson
Chairman Maurice L. Hirsch, Jr.

ABSENT

Ms. Wendy Geckeler

Councilmember Dan Hurt, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Mr. Mike Geisel, Director of Planning & Public Works
Mr. Jeff Paskiewicz, Civil Engineer
Ms. Annissa McCaskill-Clay, Assistant Director of Planning
Ms. Mara Perry, Senior Planner
Mr. Shawn Seymour, Project Planner
Ms. Mary Ann Madden, Planning Assistant

III. INVOCATION: Commissioner Watson

IV. PLEDGE OF ALLEGIANCE – All

Chair Hirsch acknowledged the attendance of Councilmember Dan Hurt, Council Liaison; Councilmember Bruce Geiger, Ward II; Councilmember Bob Nation, Ward IV; and City Administrator Mike Herring.

V. **PUBLIC HEARINGS** – Commissioner Grissom read the “Opening Comments” for the Public Hearings.

A. **P.Z. 11-2008 The Willows at Brooking Park Village (St. Andrew’s Resources for Seniors)**: A request to amend Conditional Use Permit 557, to revise the structure and parking setbacks in an “R1” Residence District, “R3” Residence District (10,000 sq. ft.), and a “FPR1” Flood Plain Residence District for a 26.65 acre tract of land located southwest of the intersection of South Woods Mill Road and St. Luke’s Drive (18Q140307 and 18Q140316).

STAFF PRESENTATION:

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

- Proposed Amendments Include:
 1. Revise structure setback along the north property line from 50 feet to 20 feet.
 2. Revise parking setback along the southern property line from 80 feet to 63 feet.
 3. Revise parking setback along the Woods Mill Road right-of-way from 250 feet to 198 feet.
- Public Hearing notification was provided per State statute requirements and City of Chesterfield requirements.
- The City of Chesterfield Land Use Plan designates the area as “Residential Single Family”.
- Land use consists of all detached and attached residential buildings used to house one family and the parcels on which they are located.
- Items currently under review with the Department of Planning & Public Works:
 - Parking requirements.
 - Location of proposed internal roadways to existing structures.
 - Location of proposed retaining wall.

PETITIONER'S PRESENTATION:

1. Mr. George Stock, Stock & Associates Consulting Engineers, representing St. Andrew's Resources for Seniors, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
 - They are requesting the Commission's consideration for amendments to Conditional Use Permit 557 for the subject property, which is 26.6 acres.
 - The site is mostly developed as two components: (1) the assisted living facility, which is located to the west; and (2) the independent living buildings, which are located in the central core.
 - They are proposing to construct 14 villas, which would be housed within 8 buildings (6 duplexes and 2 single buildings).
 - The other request relates to the main entrance serving The Willows, which includes the addition of 11 new parking spaces. There are currently 10 parking spaces in this area.
 - The 14 villas are allowed under the existing Conditional Use Permit. Conditional Use Permit 557 allows 28 free-standing units and they are proposing to construct 14.
 - In order to accommodate the 14 villas on the site, Conditional Use Permit 557 needs to be amended as follows:
 - Reduce the setback from the northern property line from 50 feet to 20 feet.
 - Reduce the parking setback from 250 feet, as measured from the right-of-way of Woods Mill Road, to 198 feet.
 - Reduce the parking setback from the southern boundary from 80 feet to 63 feet.

Referring to the two parking setback reduction requests (1) from 250 feet to 198 feet, and (2) from 80 feet to 63 feet, Commissioner Schenberg asked whether these reductions pertain only to the corner of the parking lot or whether they pertain to the entire boundary.

Mr. Stock replied that Section 4.b. regarding "Parking Setbacks" of the Conditional Use Permit states:

No parking area excluding internal drives, or parking for a manager's residence, or local public utility facility, shall be located within the following setbacks:

1. *250 feet of the right-of-way of Woods Mills Road.*
2. *80 feet of the south limits of this C.U.P. development*

Mr. Stock stated that reducing the setback to 198 feet would be applicable along the entire frontage. No parking is proposed in this area. The requested reduction along the southern boundary would include the entire southern boundary. If it is a concern, Mr. Stock stated that they are not opposed to something more

restrictive that would have the setbacks pertain only to the corner of the parking lot vs. the entire area.

SPEAKERS IN FAVOR:

1. Mr. William B. Bradshaw, Board of Trustees – The Terraces, 309 Woods Mill Terrace Lane, Chesterfield, MO stated the following:
 - He recently spoke to Mr. Tyler Trautman, in-house manager of Brooking Park and The Willows, regarding the concerns of the residents of The Terraces. If the following concerns are addressed, the Board of Trustees will be satisfied:
 1. The road that goes up from Woods Mill Road on the south boundary has become more and more used. It is presently being used by trucks and employees. They are asking for a decrease in the usage of this road by both employees and vendors.
 2. There is concern that when the circle is removed, there will be an increase in the amount of noise from cars being parked in the area. They are asking for the planting of shrubbery and trees in this area to block the parking lot from The Terraces to reduce the noise and to screen the parking.
 3. There is also concern that when the circle is removed, it will invite more traffic to come up that road. They would like persons visiting The Willows to use the road going to The Willows; and persons visiting Brooking Park to use the Brooking Park road.
 4. They are concerned if the setback is allowed to go all the way up to the south border. They are requesting that the setback only be available to where the additional parking is being requested.
 5. They are requesting that the dandelions be removed in the area of the artificial barrier.

Commissioner Banks asked how close the back yards of the nearest residences are from the proposed parking area. Mr. Bradshaw stated that all of the houses have decks on the back of them. The area from the deck to the wall area is relatively close. The residences closer to Brooking Park are about 10-15 feet away.

SPEAKERS IN OPPOSITION:

1. Mr. John Siemers, 300 Woods Mill Terrace Lane, Chesterfield, MO stated the following:
 - His property backs up to The Willows and Brooking Park on the southeast corner.
 - Within 10-15 feet of their back door, there is a stream of traffic that is continuous all day long and into the evening, including commercial vehicles, visitors to Brooking Park and The Willows, and two Bi-State buses.
 - He asked that the Commission review the traffic situation in an attempt to mitigate some of it.

SPEAKERS – NEUTRAL: None

REBUTTAL:

1. Mr. George Stock stated that the concerns outlined above have been brought to the Petitioner's attention in the last few days and will be addressed. He then stated the following:
 - The traffic patterns that have developed are a result of the construction that has been ongoing. The intersection of 141 and Brooking Park was under construction for several months. 141 has now been restored and is open; Woods Mill Road is open and traffic is functioning.
 - The amount of traffic coming from Conway has been dramatically reduced because the majority of traffic is now coming up to 141 and coming up Brooking Park Drive.
 - There is still some construction traffic in the area. They are working with the contractor to correct it.
 - At a later phase, a portion of the drive serving The Willows will be removed. The drive will be continued around through a parking lot and will come out much further to the north.
 - New awareness signage for traffic is being developed and will be addressed with the employees and contractors.
 - The parking in the round-about area is visitor parking and is limited. They will propose to enhance the existing buffer and remove the dandelions.
 - They will work with the residents to address their concerns.

Commissioner Peratoni asked why the parking is necessary on the south side and asked if it is necessary before the roadways are adjusted. Mr. Stock stated that the current 10 parking spaces are not enough for the traffic coming in. It is important for the facility to have the additional 11 spaces in this location. Additional buffering will be provided between the road and the property line to create a screen for the neighbors. He added that the road is not being moved closer to the residences, but the residents have been seeing an increase in the volume of traffic.

Commissioner Watson asked if there is a timeframe for when the drive on the south would be removed. Mr. Stock stated there is not a timeframe at this time.

Commissioner Broemmer asked if there is a Landscape Plan showing what is being proposed relative to the round-about and additional landscaping. Mr. Stock replied that the discussions with the residents regarding additional landscaping just took place within the last couple of days so no Landscape Plan is available at this time. The Landscape Plan will be available prior to the next meeting – the Landscape Plan will also be submitted to the residents prior to the next meeting.

Commissioner Perantoni asked if the Commission would be able to review the signage before it votes on setbacks. Mr. Stock stated that this is possible and

would submit something to the Department for the Commission's information. Ms. Perry pointed out that signage is reviewed by the Department and is not a part of the Conditional Use Permit. Chair Hirsch stated that the Commission will be given information on the signage but the Commission will not act upon it

ISSUES:

1. Addition of a landscape buffer to screen the lights and noise due to increased traffic along the south side of the property
2. Concern that removing the traffic circle may increase the noise from traffic.
3. Provide a Landscape Plan to show the proposed buffer.
4. If the parking setbacks are reduced, they are to be limited to the area around the parking lot.
5. Provide information on the proposed signage.

- B. P.Z. 12-2008 Landmarks Preservation Commission (Kroeger Slaughterhouse/Wiegand Studio):** Two (2) parcels located at One Wiegand Drive and 16905 Baxter Road have been nominated for "H" Historic District in accordance with the process established by the City of Chesterfield Ordinance Number 2412 governing the Landmarks Preservation Commission. (17T220942 & 17T310335)

STAFF PRESENTATION:

Standing in for Senior Planner Aimee Nassif, Mr. Shawn Seymour, Project Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Seymour stated the following:

- Public notification was provided through State statute requirements and City of Chesterfield requirements.
- Other properties in Chesterfield that have the "H" designation include the Ravens-Quetham house, the Eberwein-Howe house, and the Elijah Payne house.
- The "H" Historic Designation Process:
 - The property owner must fill out a Nomination Form and submit it to the Landmarks Preservation Commission.
 - The Landmarks Preservation Commission then studies the site to determine if it is an appropriate site for the "H" designation.
 - The Landmarks Preservation Commission then submits a formal report to the Planning Commission and a Public Hearing is held.
 - The Planning Commission is required to make a recommendation to the City Council.
 - City Council makes the final decision to determine if the "H" designation is appropriate for the site.
 - If the Council approves the "H" designation, the "H" designation is added to official City of Chesterfield maps and is included on the Chesterfield Historic Register.

Councilmember Hurt expressed his appreciation to Mr. Wiegand as “a great citizen in the City”. He then asked whether the “H” designation would affect the ability to add additional sculpture to the site.

Mr. Seymour stated that the “H” designation would not impose additional development standards or requirements to the site. However, if the proposed addition would be considered a “structure”, it would then require a Site Plan.

Councilmember Hurt encouraged Mr. Wiegand to continue with his sculpture garden and asked Staff to advise Mr. Wiegand accordingly in the event any of his work would constitute “a structure”.

SPEAKERS IN FAVOR:

1. Ms. Alice Fugate, Chair, Landmarks Preservation Commission, 14165 Cross Trails Drive, Chesterfield, MO gave a brief history and slide presentation of the Andy Kroeger Slaughter House, which was built about 1926. Ms. Fugate stated the following:

- The meat processed from the slaughter house was sold at the Chesterfield Mercantile Company, which was later replaced by the smokehouse.
- The Wiegand family purchased the smokehouse and slaughter house properties in the 1950s. In the sixties, Don Wiegand restored the slaughter house and added an atrium/greenhouse, bathroom, kitchen, and studio space for his sculpture work. In 1975, he added a bedroom and additional studio space.
- In 1985, St. Louis County recognized Mr. Wiegand’s creative restoration of the property by giving him its “Adaptive Reuse Award”.
- In 1993, Mr. Wiegand’s property was affected by the flood – the slaughterhouse was inundated to chandelier level. The extensive damage was repaired and the property restored.
- The site now includes the Wiegand’s home, studio, and The Wiegand Foundation, which is used as a gathering place for cultural and educational goals. Schools groups and non-profit groups have been meeting at the Foundation since the 1960s.
- Mr. Wiegand has sculpted many important awards including The Lindbergh awards and the Spirit of Hope award. His work can be found throughout the world – a partial list includes:
 - The White House
 - The Vatican
 - Ellis Island Foundation - New York
 - Autores Corporate Headquarters - Madrid, Spain
 - John F. Kennedy Library – Boston, MA
 - Musee de l’air, le Bourget Airport – Paris, France
 - Smithsonian National Air and Space Museum – Washington, D.C.
 - The Senate Building – Washington, D.C.
 - The Texas Stadium, Dallas Cowboys Cheerleaders – Dallas, TX

- Missouri Botanical Garden – St. Louis, MO
- The Landmarks Preservation Commission wishes to nominate the Andy Kroeger Slaughter House, a.k.a. the Wiegand home and studio and home of The Wiegand Foundation, to the Chesterfield Register. It is being nominated not only because of the architectural interest of the buildings, but also because of the cultural contributions of The Wiegand Foundation.

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES: None

Commissioner Grissom read the Closing Comments for the Public Hearings.

VI. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the minutes of the April 28, 2008 Planning Commission Meeting. The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 7 to 0 with 1 abstention** from Commissioner Watson.

VII. PUBLIC COMMENT

A. P.Z. 01-2008 Kraus Farm Office Center (Opus Northwest)

Petitioner:

1. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO referred to the letter of May 8, 2008 from Doster Guin to Ms. McCaskill-Clay regarding the following requested changes to the Attachment A: **(changes shown in green)**
 - Section I.A.3.b. regarding restrictions to the “Permitted Uses”:
Financial institutions ~~shall not include retail banking~~ **shall not have a separate exterior entrance and shall not utilize any drive thru in connection with operations.**
Staff agrees with the change.
 - Section I.E.2. regarding “Landscape and Tree Requirements”:
In addition to the requirement above, the developer shall provide, **with the exclusion of areas dedicated for use by the Fire Protection District,** a 120 foot buffer from the existing right-of-way of Conway Road with

materials to be approved upon review of the Site Development Plan. **Areas dedicated for use by the Fire Protection District may be located within such 120 foot buffer.**

Petitioner felt that a clarification was needed but Staff does not agree with the change. Petitioner accepts that no change will be made.

Mr. Doster stated that it is their understanding that the intent is that the emergency-only Fire District access will not be counted against the Petitioner even if it's located within the 120-foot buffer.

➤ Section I.J. regarding "Public/Private Road Improvements, including Pedestrian Circulation:

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, adjacent to Conway Road or provide the finish grading therefore and required cash escrow, as directed by the St. Louis County Department of Highways and Traffic **and/or as directed by the City of Chesterfield.**

Staff agrees with the change.

12. Road improvements and right-of-way dedication shall be completed prior to the issuance of an occupancy permit. If development phasing is anticipated, the developer shall complete road improvements, right-of-way dedication, and access requirements for each phase of development as directed by the **City of Chesterfield and as directed by** Saint Louis County Department of Highways and Traffic. As previously noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.

Staff does not agree with the change. Petitioner accepts that no change will be made.

➤ Section V.A. regarding "Trust Fund Contribution":

. . . Allowable credits for required roadway improvements will be awarded as directed by the Saint Louis County Department of Highways and Traffic **and the City of Chesterfield.** Sidewalk construction and utility relocation, among other items, are not considered allowable credits. . .

. . .Credits for roadway improvements required will be awarded as directed by St. Louis County Highways and Traffic **and the City of Chesterfield.** Any portion of the roadway improvement contribution that remains, following completion of road improvements required by the development, shall be retained in the appropriate Trust Fund. Credits for roadway improvements will be as approved by the City of

Chesterfield and/or St. Louis County Department of Highways and Traffic. . .

Staff does not agree with the change. Petitioner accepts that no change will be made.

- Section I.C.1.a. regarding “Structure Setbacks” and Section I.C.2.a. regarding “Parking Setbacks”:

~~One hundred thirty (130)~~ **One hundred (100)** feet from the existing right-of-way of North Outer Forty Road on the southern boundary of the “PC” Planned Commercial District.

Mr. Doster stated that in discussions with Staff, it was agreed to keep these setbacks at 130 feet. It was noted that retaining walls are already excepted from the application of this setback. Mr. Doster noted that there is a fire lane that juts out south, between the two proposed buildings, that was required by the Fire District and is used as a turn-around area for their equipment. So that the setback doesn’t apply to the fire lane, he stated that Staff will recommend that Sections I.C.1. and 1.C.2. be amended as follows:

- Section I.C.1:
No building or structure, other than: a freestanding project identification sign, boundary and retaining walls, light standards, flag poles, fences **or lanes for use by the Fire Protection District** will be located within the following setbacks:
- Section I.C.2:
No parking stall, loading space, internal driveway, or roadway, except points of ingress or egress and **or lanes for use by the Fire Protection District**, will be located within the following setbacks:
- Sections J.6 and J.7:
~~Improve Conway Road to one half of a seventy (70) foot right of way and a twenty four (24) foot pavement with eight (8) foot shoulders, and including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic and the City of Chesterfield.~~

~~Based on the preliminary plan, improvements to Conway Road must commence prior to issuance of the building permits. As noted, the delays due to utility relocation and adjustments will not constitute a cause to allow occupancy prior to completion of road improvements.~~

Staff does not agree with the changes. Petitioner accepts that no changes will be made. Mr. Doster commented that that the above sections deal with required improvements to Conway Road and noted that in prior Ordinances along this stretch of road (i.e. Solomon 40

West), there was no such requirement. They were required to dedicate additional right-of-way on Conway Road, but not required to construct improvements. The rationale for deleting these sections is that they are of the understanding that the citizens along Conway Road do not want Conway Road to be improved. He added that the proposed development would not access Conway Road and includes the dedication of a 120-foot buffer along the north, so they do not see a reason for the requirement of improvements.

- Section K.1. regarding “Traffic Study”:
Prior to Improvement Plan approval, ~~provide~~ a traffic **assessment or traffic** study, as ~~required~~ **directed** by the City of Chesterfield, including, but not limited to internal and external circulation, ~~for review and approval~~ **to be conducted by a professional traffic engineering firm.**
Staff does not agree with the changes. Petitioner accepts that no changes will be made.

Councilmember Hurt asked if there has been any communication with the Fire District to indicate if they will have to impede upon the 120-foot buffer. Mr. Doster replied that the Fire District has reviewed the plan. Mr. George Stock added that the north wall of the garage is 130 feet from the right-of-way of Conway Road. There is then a 10-foot green area, which is a requirement of the Fire Marshall, and then a 20-foot road – so at that point, it is 100 feet from Conway Road.

2. Mr. George Stock, Stock & Associate, 257 Chesterfield Business Parkway responded to questions from the Commission as follows:
 - **Regarding discussions with Mr. Dave Nichols of the Monarch Fire Protection District:** Mr. Stock has met with Mr. Nichols no less than three times on this project. The Fire Protection District’s designation for hose length is 150 feet. The total width of the garage – from east to west – is approximately 780 feet. Mr. Nichols specifically indicated that he wanted to connect all the way around and specifically requested the 20-foot width. Mr. Stock added that the road is tucked down. They have added a retaining wall and large berm so the fire access road is down low so that the Fire District has access – the garage is open on all sides so he not servicing just the top level – he is able to get the next two levels down. It’s not visible at all from Conway Road.
 - **Regarding dedicating the buffer to the City:** Ms. Doster stated that, although he has not had any conversations with City Attorney Heggie, he suggested that the 120-foot strip of property could be dedicated to the City, subject to an easement in favor of the Fire District’s emergency lane. The Developer could maintain the obligation of maintaining the easement.

- **Regarding the fire lane:** The fire lane will be gated at each end for the specific use of Monarch Fire – it is not a thru-traffic lane. Commissioner Broemmer noted that the lane needs to be gated because it is only 20-feet wide, which is not a standard roadway width. Commissioner Watson added that with the road being gated, it prevents a car being abandoned on the road and obstructing the road for the fire trucks.
3. Mr. Rick Clawson, ACI/Boland, Inc., 11477 Olde Cabin Road, Ste. 100, St. Louis, MO was available for questions.

Commissioner Hurt asked for information on a possible water feature for the site. Mr. Clawson replied that it is possible that a fountain or bubbler will be added to the site, which will be visible from the highway.

4. Ms. Julie Nolfo, Crawford, Bunte, Brammeier, was available for questions.

B. P.Z. 04-2008 Chesterfield Valley Nursery (Walter E. Graeler)

Petitioner:

1. Mr. Jim Hall, Hall Associates, 424 S. Clay Avenue, St. Louis, MO was available for questions.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **Chesterfield Blue Valley:** A Site Development Concept Plan for location of roadway system for 130.9 acres zoned "PC" Planned Commercial District located on the north side of Olive Street Road, west of its intersection with Chesterfield Airport Road.

Commissioner Broemmer, representing the Site Plan Committee, made a motion recommending approval of the Site Development Concept Plan for Chesterfield Blue Valley. The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 8 to 0.**

- B. **Precision Plaza North (SDCP):** A Site Development Concept Plan and Conceptual Landscape Plan for a 14.28 acre tract of land zoned "PI" Planned Industrial District, located north of the intersection of Wings Corporate Estates and Eatherton Road.

Commissioner Broemmer, representing the Site Plan Committee, made a motion recommending approval of the Site Development Concept Plan and Conceptual Landscape Plan for Precision Plaza North. The motion was seconded by Commissioner Grissom and **passed by a voice vote of 8 to 0.**

- C. **St. Luke's Hospital Parcel A (Campus Parking Lot Addition) Site Development Section Plan:** A Site Development Section Plan, Tree Stand Delineation Plan, Tree Preservation Plan, Landscape Plan and Lighting Plan for a section of a 55 acre lot of land zoned "MU" Medical Use District located at the southeast corner of Highway 141 (Woods Mill) at the intersection with St. Luke's Drive.

Commissioner Broemmer, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Tree Stand Delineation Plan, Tree Preservation Plan, Landscape Plan and Lighting Plan for **St. Luke's Hospital Parcel A (Campus Parking Lot Addition)**. The motion was seconded by **Commissioner Schenberg** and **passed** by a voice vote of 8 to 0.

- D. **Wings Corporate Estates (18390 Wings Corporate Drive):** A request for approval of a free-standing sign for land zoned "PI" Planned Industrial District, located at the intersection of Eatherton Road and Wings Corporate Drive.

Commissioner Broemmer noted that the Petitioner asked that the request for approval of a free-standing sign be withdrawn at this time.

Commissioner Broemmer, representing the Site Plan Committee, then made a motion to hold **Wings Corporate Estates (18390 Wings Corporate Drive)** until the Petitioner brings the request back to the Planning Commission. The motion was seconded by **Commissioner Watson** and **passed** by a voice vote of 8 to 0.

(Commissioner Schenberg left the meeting at this point.)

IX. OLD BUSINESS

- A. **P.Z. 01-2008 Kraus Farm Office Center (Opus Northwest):** A request for change of zoning from "NU" Non-Urban District to "PC" Planned Commercial District for a 14.414-acre tract of land located at 14730 Conway Road, near the northwest corner of Highway 40/Interstate 64 and Timberlake Manor Drive. (19R530232)

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, stated that Mr. Doster is correct in his interpretation with respect to the Department's position. Ms. McCaskill-Clay referred to the letter of May 6th from Doster Guin requesting changes to the Attachment A. She noted that this letter had been included in the meeting packet and that Staff addressed those items in the Attachment A when it was deemed appropriate. She clarified that the May 6th

letter is basically a summary of the discussions held after the Public Hearing and Issues Meeting in attempt to clean up the Attachment A. The May 8th letter includes those issues that were still outstanding.

Ms. McCaskill-Clay then went through the requested changes listed in the May 6th letter as follows: **(requested changes shown in green)**

- Section I.B.2. regarding “Height”:
 - a. The maximum height of the buildings, exclusive of roof screening **top equipment and parapet**, shall not exceed ~~640~~ **641** feet above mean sea level.
This change has been included in the Attachment A but has been phrased differently.
 - b. The maximum height **of the top floor of** ~~for~~ the parking structure shall not exceed 590 feet above mean sea level, **exclusive of stairwell and elevator penthouses.**
This change has been included in the Attachment A but has been phrased differently.
- Section I.C.1.d. regarding “Structure Setbacks”:

One hundred twenty (120) feet from the **existing** right-of-way of Conway Road.
This change has been included in the Attachment A.
- Section I.C.2.b. regarding “Parking Setbacks”:

One hundred twenty (120) feet from the **existing** right-of-way of Conway Road.
This change has been included in the Attachment A.
- Section I.E.2. regarding “Landscape and Tree Requirements”:

In addition to the above requirement, the developer shall provide a 120 foot buffer from the **existing** right-of-way of Conway Road with materials to be approved upon review of the Site Development Plan.
*Petitioner also requested adding language **permitting the fire access road within the buffer.***

Staff has modified this section as follows: (modifications in red)

In addition to the above requirement, the developer shall provide, **with the exclusion of areas dedicated for use by the Fire Protection District**, a 120 foot buffer from the **existing** right-of-way of Conway Road with materials to be approved upon review of the Site Development Plan.

➤ Section I.J. regarding “Public/Private Road Improvements, including Pedestrian Circulation”:

1. Provide a 5 foot wide sidewalk, conforming to ADA standards, adjacent to Conway Road or provide the finish grading therefore and required cash escrow, as directed by the St. Louis County Department of Highways and Traffic **and as directed by the City of Chesterfield.**

Staff recommends that the requested language be added to the Attachment A as modified below: (modifications in red)

Provide a 5 foot wide sidewalk, conforming to ADA standards, adjacent to Conway Road or provide the finish grading therefore and required cash escrow, as directed by the St. Louis County Department of Highways and Traffic **and/or as directed by the City of Chesterfield.**

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3. Improve Conway Road to one half of a seventy (70) foot right of way and a twenty-four (24) foot pavement with eight (8) foot shoulders, and including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic **and as directed by the City of Chesterfield.**

~~7. Improve Conway Road to one half of a seventy (70) foot right of way and a twenty-four (24) foot pavement with eight (8) foot shoulders, and including all storm drainage facilities as directed by the Saint Louis County Department of Highways and Traffic.~~

Staff has removed Item J.3. from the Attachment A and the requested change has been incorporated into the Attachment A under item J.6.

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5. Improve Timberlake Manor Parkway Extension, from its connection to North Outer Forty Road ~~to Conway Road~~ to its full designed section including curb, required tapers, turn lanes and storm drainage facilities, as directed by the Department of Planning and Public Works. The required improvements are to be located within a private road easement. Also, a 10 foot wide roadway, maintenance and utility easement is to be provided outside of the private road easement. The private road easement and the adjacent 10' wide easement shall be utilized to define a reserve strip. Said reserve strip shall be dedicated to the City of Chesterfield upon demand at no cost to the City.

This change has been made. This section has become J.4. in the Attachment A.

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6. Improve the intersection of Timberlake Manor Parkway Extension and North Outer Forty Road to provide a southbound right-turn lane and a westbound right-turn lane as directed by the Department of Planning and Public Works and the Missouri Department of Transportation **and as directed by the City of Chesterfield.**

The requested change was already included by the verbiage “as directed by the Department of Planning and Public Works”. This section has become J.5. in the Attachment A.

- Section I.J.8, 9. and 13. regarding issuance of occupancy and building permits from St. Louis County:

The Petitioner requested that further clarification be provided as to County requirements on these points and that language be added to these sections which state that “conditions for issuance of permits will be as further directed by the City of Chesterfield.”

Ms. McCaskill-Clay stated that the language in the Attachment A reflects what St. Louis County deems appropriate. County has requested that the language not be changed. County makes the determination as to when County will issue the final occupancy permit, as well as the building permit. The City has its own list of items that needs to be completed prior to occupancy, but the actual issuance of the permits comes from County.

- Section I.K.1. regarding “Traffic Study”:

~~Prior to Improvement Plan approval, provide a traffic study, as directed required by the City of Chesterfield Department of Planning and Public Works, St. Louis County Department of Highways and Traffic and/or the Missouri Department of Transportation. The scope of the study shall include including internal and external circulation, for review and approval. and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City’s traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.~~

Staff has incorporated these changes, with modifications shown below (modifications shown in red): It was noted that this language is the same language as used for St. John’s Attachment A.

Prior to Improvement Plan approval, provide a traffic study, as required by the City of Chesterfield ~~Department of Planning and Public Works,~~ including, **but not limited to** internal and external circulation, for review and approval.

- Section V.A. regarding “Trust Fund Contribution:”

The Petitioner is requesting that language be added “**providing that allowable credits for required roadway improvements will be awarded as directed by the City of Chesterfield.**

Staff does not agree with the requested change.

Based upon the requests made by the Petitioner in its May 8th letter, Staff recommends the following amendments to the Attachment A: **(changes shown in green)**

- Section I.A.3.b. regarding restrictions to the “Permitted Uses”:
Financial institutions ~~shall not include retail banking~~ **shall not have a separate exterior entrance and shall not utilize any drive thru in connection with operations.**
- Section I.J.1. regarding “Public/Private Road Improvements, including Pedestrian Circulation”:
Provide a 5 foot wide sidewalk, conforming to ADA standards, adjacent to Conway Road or provide the finish grading therefore and required cash escrow, as directed by the St. Louis County Department of Highways and Traffic **and/or the City of Chesterfield.**
- Section I.C.1. regarding “Structure Setbacks”:
No building or structure, other than: a freestanding project identification sign, boundary and retaining walls, light standards, flag poles, ~~or~~ fences **or lanes for use by the Fire Protection District** will be located within the following setbacks:
- Section I.C.2. regarding “Parking Setbacks”:
No parking stall, loading space, internal driveway, or roadway, except points of ingress or egress **or lanes for use by the Fire Protection District**, will be located within the following setbacks:

Commissioners Broemmer expressed concern about voting on an Attachment A that is not in its complete form. Commissioner Banks and Commissioner Perantoni also expressed their concern about voting on the Attachment A at this time.

Commissioner Broemmer made a motion to hold P.Z. 01-2008 Kraus Farm Office Center (Opus Northwest) until the Attachment A is amended. The motion was seconded by Commissioner Perantoni.

Mr. Doster was allowed to comment on the motion. He stated that the Petitioner complied with the City’s policy by getting their requested changes to the Department within the required timeframe. He pointed out that the requested changes are not complicated, and all have been agreed to by Staff. He noted that by holding the petition, it makes the Petitioner wait another two weeks. He requested that the Commission vote on the petition tonight.

Chair Hirsch outlined the amendments proposed by Staff stating that he felt such changes are well within the boundaries of changes that have been considered previously.

Commissioner Perantoni felt that receiving the requested changes shortly before the meeting did not give her ample time to prepare.

The vote to hold failed by a show of hands of 3 to 4. (Commissioners Grissom, Nolan, Watson and Hirsch voted “no”.)

Councilmember Hurt requested information on the setbacks and dedications with respect to the Timberlake development, Solomon development and St. John’s. It was noted that the Timberlake development dedicated its 100-foot setback to the City.

Ms. McCaskill-Clay stated that the Solomon ordinance states: “. . . *dedicate to one-half of 70-foot right-of-way for improvement to Conway Road.*” The ordinance does not stipulate when this has to be done but it does include the requirement for dedication in the ordinance.

Mr. Geisel stated that St. John’s property was rezoned to “R-3” so there is still residential that can be developed on the site. The Petitioners for the Kraus Farm Office Center site are willing to dedicate the property adjacent to Conway Road. He expects discussion of the possible dedication to take place at the Planning & Public Works Committee.

Councilmember Hurt advised that the dedication was done at Timberlake in order to control the contact between the highway and Conway Road. Since the subject property is adjacent to Timberlake, he felt the same type of dedication of 100 feet should take place.

Commissioner Grissom made a motion to approve P.Z. 01-2008 Kraus Farm Office Center (Opus Northwest) with the four amendments recommended by Staff. The motion was seconded by Commissioner Watson.

Upon roll call, the vote was as follows:

**Aye: Commissioner Grissom, Commissioner Nolan,
Commissioner Watson, Commissioner Banks,
Chairman Hirsch**

Nay: Commissioner Broemmer, Commissioner Perantoni,

The motion passed by a vote of 5 to 2.

- B. P.Z. 04-2008 Chesterfield Valley Nursery (Walter E. Graeler):** A request for a “CUP” Conditional Use Permit in a proposed “AG” Agriculture District for a 10.4 acre tract of land located north of North Outer 40 Road approximately 6,600 feet east of the intersection with Boones Crossing. (part of 17T620041)

Ms. Mara Perry, Senior Planner, stated the property was recently rezoned by City Council to “AG” Agricultural District. The Conditional Use Permit outlines the use and accessory use allowed for the development, along with one requirement from MoDOT.

Commissioner Broemmer made a motion to approve P.Z. 04-2008 Chesterfield Valley Nursery (Walter E. Graeler). The motion was seconded by Commissioner Perantoni.

Upon roll call, the vote was as follows:

**Aye: Commissioner Grissom, Commissioner Nolan,
Commissioner Perantoni, Commissioner Watson,
Commissioner Banks, Commissioner Broemmer,
Chairman Hirsch**

Nay: None

The motion passed by a vote of 7 to 0.

- C. P.Z. 12-2008 Landmarks Preservation Commission (Kroeger Slaughterhouse/Wiegand Studio):** Two (2) parcels located at One Wiegand Drive and 16905 Baxter Road have been nominated for “H” Historic District in accordance with the process established by the City of Chesterfield Ordinance Number 2412 governing the Landmarks Preservation Commission. (17T220942 & 17T310335)

Commissioner Watson made a motion to approve P.Z. 12-2008 Landmarks Preservation Commission (Kroeger Slaughterhouse/Wiegand Studio). The motion was seconded by Commissioner Perantoni.

Upon roll call, the vote was as follows:

**Aye: Commissioner Nolan, Commissioner Perantoni,
Commissioner Watson, Commissioner Banks,
Commissioner Broemmer, Commissioner Grissom,
Chairman Hirsch**

Nay: None

The motion passed by a vote of 7 to 0.

X. NEW BUSINESS

A. Discussion of Plan Size Requirements for Meeting Packets

Chair Hirsch reported that the Commission discussed plan size requirements for meeting packets in the previous Work Session. It was the consensus that the Commission desires to continue receiving full-size plans.

XI. COMMITTEE REPORTS

A. Ordinance Review Committee

A meeting will be scheduled with respect to the Residential Districts. A joint meeting of the Ordinance Review Committee and the Architectural Review Committee will also be scheduled regarding that portion of the Unified Development Code that pertains to architecture.

Commissioner Perantoni asked that the Architectural Review Board be included in these discussions. Chair Hirsch indicated that this is possible.

City Attorney Heggie then recognized Jeff Paskiewicz, Civil Engineer for the City.

XII. ADJOURNMENT

The meeting adjourned at 8:35 p.m.

Gene Schenberg, Secretary