

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JUNE 12, 2006**

At 6:45 p.m. the Commission, on motion by Chair Macaluso, seconded by Commissioner Hirsch and on a roll call vote all voting "aye", voted to go into Executive Session pursuant to R.S. 610.027(1).

The Executive Session was adjourned at 6:55 p.m.

The Planning Commission meeting was called to order at 7:03 p.m.

I. PRESENT

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

ABSENT

Ms. Victoria Sherman

Mayor John Nations
Councilmember Mary Brown, Council Liaison
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. Annissa McCaskill-Clay, Assistant Director of Planning
Ms. Jennifer Yackley, Project Planner
Ms. Mary Ann Madden, Planning Assistant

Chair Macaluso acknowledged the attendance of Mayor John Nations; Councilmember Mary Brown, Council Liaison; Councilmember Bruce Geiger, Ward II; and City Administrator Mike Herring.

II. INVOCATION: Commissioner Broemmer

III. PLEDGE OF ALLEGIANCE – All

PUBLIC HEARINGS – Commissioner Banks read the “Opening Comments” for the Public Hearings.

- A. P.Z. 1-2006 Spirit Town Center (Greenberg-Blatt Management, L.P.):** A request for a change of zoning from “M3” Planned Industrial District to “PC” Planned Commercial District for a 7.8 acre parcel of land located on Chesterfield Airport Road at its intersection with Goddard Avenue. (18026 Chesterfield Airport Road/17V230055). The request contains the following permitted uses:
- (a) Amusement parks, drive-in theaters, and zoological gardens.
 - (e) Associated work and storage areas required by a business, firm, or service to carry on business operations.
 - (g) Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
 - (h) Barber shops and beauty parlors.
 - (i) Bookstores.
 - (m) Child care centers, nursery schools, and day nurseries.
 - (o) Dry cleaning drop-off and pick-up stations.
 - (p) Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.
 - (q) Film drop-off and pick-up stations.
 - (s) Financial institutions.
 - (v) Hotels and motels.
 - (x) Medical and dental offices.
 - (z) Offices or office buildings.
 - (cc) 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.
 - (ff) Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters.
 - (hh) Restaurants, fast food.
 - (ii) Restaurants, sit down.
 - (kk) 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.
 - (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, craft persons, 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').
- (qq) Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
- (rr) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. McCaskill-Clay stated the following:

- The subject Site was posted on May 26, 2006.
- The Comprehensive Plan categorizes the subject site as “Spirit Airport.”

PETITIONER’S PRESENTATION:

1. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
 - The site is approx. 7.8 acres in size.
 - To the north of Chesterfield Airport Road, the Land Use Plan shows “Mixed Use” – defined as “Retail/Office/Warehouse”.
 - To the west is the St. Louis County Correctional Institution site, shown as “Mixed Commercial Use” – defined as “Retail and Office”.
 - The Land Use Plan shows the subject site as part of Spirit Airport – a Conceptual Land Use category. This category is for the extended boundaries of the Spirit of St. Louis Airport as addressed in City of Chesterfield Ordinance 1156, adopted by City Council April 15, 1996. This ordinance incorporated the “M-3” Planned Industrial District, which, in turn, incorporated the “M-1” Industrial District Permitted and Conditional Uses, excluding certain uses, and included commercial shopping areas not in excess of ten acres.
 - Uses permitted under the Ordinance include many uses that the Petitioner is seeking to have approved under the “PC” Planned Commercial District.
 - There are no prospective tenants at this time. Once the zoning is known, the developer will actively market the site.
 - They propose five buildings for the site:
 - Building 1 – Proposed bank/financial institution comprising approx. 6200 sq. ft.
 - Building 2 – Proposed fast food restaurant comprising approx. 4800 sq. ft.

- Building 3 – Proposed filling station/convenience store comprising approx. 4400 sq. ft.
 - Building 4 – Proposed office building comprising approx. 6000 sq. ft.
 - Building 5 – Proposed retail center comprising approx. 52,000 sq. ft.
 - To the west, they propose an access to an existing drive on the Porta-Fab site out to Chesterfield Airport Road. At this time, Porta-Fab is unwilling to grant the necessary easement rights to its site. The Developer is requesting a condition in the Ordinance that would provide for future access at such time as easement rights are acquired or if the Porta-Fab site is redeveloped.
 - They proposed a signalized intersection at Goddard and Chesterfield Airport Road. The Developer is prepared to pay for and install this signal but requests TGA credits for the expense in connection with the signal installation.
 - The open space calculation is 30% for the site.
 - They are in receipt of a letter from Spirit Airport indicating there are no objections to the subject development.
 - The Fire District has submitted a letter with some objections, which they intend to address to satisfy the Fire District's requirements.
2. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
- They have spoken to St. Louis County Highway Department relative to the access to the subject site. Goddard Road has been designated under the Master Plan to be a signalized intersection. The signal is key to the development. The required improvement is a right-turn lane heading eastbound into Goddard.
 - The site already has its infrastructure in place – it is served with water and adequate sewer.
 - Regarding cross access, they have designed the site with the internal road so if development occurs further to the west, a road has been created that would service those properties and bring them back to a signalized intersection.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Providing zoning designations for the surrounding properties.
2. Review uses (a), (ff), (kk), and the section of (rr) that includes “indoor sale of motor vehicles or hire to the general public on the premises”.

3. Review use (a) “amusement park” and how circulation would work for such use.
4. Does the Airport have concerns with the uses of “child care centers” and “hotels, motels” for this site?
5. Provide a comparison of the old “M3” uses to the current “PC” uses being requested.
6. Show the differences between the “PC” and the “PI”; in particular, provide information as to what Spirit Town Center would be receiving from the “PC” zoning that they would not be able to get from the “PI” zoning.

B. P.Z. 11-2006 Blacks Ridge Office Building (Brinkmann Construction): A request for an amendment to City of Chesterfield Ordinance 1557 to allow for Medical Office as a proposed use for a 4.26 acre “PC” Planned Commercial District located on the north side of Swingley Ridge Road at 16253 Swingley Ridge Road. (18S140442).

Ms. Anissa McCaskill-Clay, substituting for Senior Planner Aimee Nassif, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. McCaskill-Clay stated the following:

- The subject site was posted on May 26, 2006.
- The request is to allow for Medical Office Use.
- No other changes are being made to the site or to the Ordinance.
- The Attachment A includes the updated requirements and criteria for all commercial developments.
- The Land Use Plan shows the site as being in the Urban Core area.

PETITIONER’S PRESENTATION:

1. Mr. Ryan Barr, 16650 Chesterfield Grove Road, Chesterfield, MO stated the following:
 - Because of the significant influx of surgery centers in the area and the separation of doctor groups from the hospitals, they are requesting the addition of “medical use”.
 - There are no tenants at this time.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Does “medical use” affect the number of parking spaces? Ms. Teresa Price, Director of Planning, stated that the parking has been checked and it does meet the parking requirement. Ms. McCaskill-Clay added that if a medical use comes in, the parking would have to be reviewed to make sure it meets the requirements before any zoning approval or site plan approval is granted.
2. Is there any limitation on the hours for the requested “medical use”? Could it possibly be a 24-hour urgent care facility? Ms. McCaskill-Clay replied that, at this time, there is no limitation on the hours of operation for “medical use” in the Attachment A.

- C. P.Z. 13-2006 City of Chesterfield (Drury Development Corporation):** A request for an amendment to Section I. “Permitted Uses” of City of Chesterfield Ordinance 2173 to permit placement of disguised communications antennae per the requirements of City of Chesterfield Ordinance 1214 on the Drury Plaza Hotel, a “PC” Planned Commercial District-zoned development located adjacent to Chesterfield Mall at the intersection of Clarkson Road and U.S. Highway 40/Interstate 64. (18S230433, 18S210172)

Ms. Annissa McCaskill-Clay gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. McCaskill-Clay stated the following:

- The subject site was posted on May 26, 2006.
- The site was originally zoned to “PC” via Ordinance 1899 on November 18, 2002. Ordinance 2173 repealed the initial ordinance and permitted an increase in the number of seats in the restaurant, an increase in the parking reduction on the site, and a decrease in the setbacks from the western property boundary.
- The request is to include language for the placement of communications antennae on the hotel.
- Ordinance 2173 currently does not have any language permitting the placement of equipment nor does it provide criteria for such approval.
- The additional permitted uses being requested are as follows:
 - (j) Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
 - (w) Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
 - (ii) Placed underground; or
 - (iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area; and

- (iv) Limited to no more than four (4) antenna uses. Additional antenna uses may be approved by the Director of Planning if no adverse visual impact on the structure will occur.
- The following criteria shall apply:
 - Cabinets for uses “(j)” and “(w)” shall not be visible from street level. Applications for administrative approval of said uses shall exhibit effort to minimize adverse visual impacts of equipment through the use of careful design siting, landscape/screening and innovative camouflage techniques. Said techniques may include, but are not limited to matching of materials/colors to match the principal structure on which all equipment is to be placed; site-proof fencing, disguising to look like architectural features and/or other methods as shown to and approved by the City of Chesterfield.
- Application for uses “(i)” and “(w)” shall be as outlined in Section 1003.167(19) of the City of Chesterfield Zoning Ordinance.

PETITIONER’S PRESENTATION:

1. Mr. Larry Hasselfeld, Drury Development, indicated he was available for questions.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES: None

Commissioner Banks read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Banks made a motion to approve the minutes of the May 22, 2006 Planning Commission Meeting. The motion was seconded by Commissioner Broemmer and **passed by a voice vote of 7 to 0.** (Commissioner Asmus abstained from voting as he was not in attendance at the May 22nd meeting.)

VI. PUBLIC COMMENT

RE: P.Z. 31-2005 & P.Z. 32-2005 Straub Lane Villas

Petitioner:

1. Mr. Patrick Worzer, Land Design Services, Consulting Firm for the Petitioner, 856 Kiefer Trails, Ballwin, MO 63021 stated the following:
 - Changes have been made to the development plan, which they feel are better suited to the surrounding area.
 - They are proposing two single-family detached residences off of Straub Road.
 - Straub Road would be improved all the way to the property line to the north per City standards.
 - They have also provided the driveway access according to the requirements of the Ordinance.
 - The previous request had a density of six villa units on the site; the current request is for two separate lots – one just under 20,000 sq. ft. and the other just under 24,000 sq. ft.
 - The proposed homes will be of a high-quality construction – prices starting at \$650,000⁺.
 - There will be limited disturbance to the site; they will be saving the trees at the back of the property and there will be limited grading.

Speakers-Neutral:

1. Ms. Karen Shapiro, 2413 Clayborn Drive, Chesterfield, MO stated the following:
 - She is a Trustee of White Gate Farms Estates.
 - She has concerns about the extra run-off into their subdivision's detention area.
 - She submitted photographs to the Commission members showing how the detention area fills up once or twice a year.
 - She asks that MSD do calculations to insure that the volume for the detention area is not exceeded.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. P.Z. 34-2001 Chesterfield Village/Altshuler Tract: A request for an extension of time for a "PC" Planned Commercial District Site Development Plan; located on the north side of North Outer Forty Road near the intersection of North Outer Forty Road and Chesterfield Parkway West.

Commissioner Asmus, representing the Site Plan Committee, made a motion to withdraw P.Z. 34-2001 Chesterfield Village/Altshuler Tract. The motion was seconded by Commissioner Banks and passed by a voice vote of 8 to 0.

- B. **Clock Tower Plaza**: A Site Development Plan, Architectural Elevations, Landscape Plan, Lighting Plan and Entry Signage for a 2.61 acre lot of land located approximately 500' west of the intersection of Baxter Road and Edison Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion to approve the Site Development Plan, Architectural Elevations, Landscape Plan, Lighting Plan and the location of Entry Signage of the Clock Tower Plaza with the amended Landscape Plan to include Colorado Blue Spruce instead of Norway Blue Spruce. The motion was seconded by Commissioner Hirsch and **passed** by a voice vote of 8 to 0.

- C. **Herman Stemme Office Park, Lot 2B (Waterway Gas & Wash)**: An Amended Site Development Section Plan, Landscape Plan, Architectural Elevations for a 1.28-acre parcel located east of Olive Blvd., north of its intersection with Swingley Ridge Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion to approve the Amended Site Development Section Plan, Landscape Plan, and Architectural Elevations. The motion was seconded by Commissioner Banks and **passed** by a voice vote of 8 to 0.

- D. **Long Road Crossing/Lipton Parcel (formerly Vantage Pointe Place)**: Amended Site Development Concept Plan for 20.0 acres of land zoned "PI" Planned Industrial District located at the intersection of Chesterfield Industrial Boulevard and Chesterfield Airport Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion to approve the Amended Site Development Concept Plan. The motion was seconded by Commissioner Broemmer and **passed** by a voice vote of 8 to 0.

- E. **Spirit Airpark (Spirit Air Hangers)**: A Site Development Section Plan, Architectural Elevations, Landscape Plan, and Lighting Plan for a 5.5 acre lot of land located to the west of Aviation Museum Road and south of Chesterfield Airport Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations, Landscape Plan, and Lighting Plan. The motion was seconded by Commissioner Broemmer and **passed** by a voice vote of 8 to 0.

- F. **Stallone's Formal Wear:** A Site Development Plan, Amended Architectural Elevations, and Landscape Plan for a retail establishment in a "PC" Planned Commercial District located on the south side of Conway Road, 700 feet west of its intersection with Chesterfield Parkway East

Commissioner Asmus, representing the Site Plan Committee, made a motion to approve the Site Development Plan, Amended Architectural Elevations and Landscape Plan. The motion was seconded by Commissioner Banks and **passed** by a voice vote of 8 to 0.

OLD BUSINESS

- A. **P.Z. 31-2005 Straub Lane Villas:** A request for rezoning from "NU" Non Urban to "R-5" Residential District for a parcel totaling .99-acres, located on the north side of Clayton Road, east of Baxter Road and west of Schoettler Road at the northwest corner of Clayton Road and Straub Lane. (LOCATOR NUMBER 21R 44 1513)

And

- B. **P.Z. 32-2005 Straub Lane Villas:** A request for a Planned Environment Unit (PEU) Procedure within an "R-5" Residence District for a .99 acre tract of land located on the north side of Clayton Road, east of Baxter Road and west of Schoettler Road at the northwest corner of Clayton Road and Straub Lane. (LOCATOR NUMBER 21R 44 1513)

Ms. McCaskill-Clay, Assistant Director of Planning, stated the original plan presented at Public Hearing reflected a development showing multi-family, single-family attached housing. The Preliminary Plan has been revised to show two single-family dwellings.

The following issues have been left open:

1. The number of trees saved on the site. After the Staff Report was submitted, the Petitioner submitted their Tree Plan, which is currently being reviewed by Staff.
2. Agency comments for all applicable agencies. The Petitioner has submitted the revised plan to the applicable agencies. Once comments have been received, they will be included in the Attachment A.
3. Landscape buffer between the subject site and adjoining residential sites. The plan, as originally submitted, showed a 15'-wide landscape buffer; the criteria is for a 20' landscape buffer. The Petitioner feels the 15' setback is appropriate. The Draft Attachment A, as written, requires the Petitioner to meet the landscape requirements.
4. The existing storm sewer at White Gate Farms. The Petitioner has advised that they will provide an analysis of the storm water and detention basin.

The Commission added the following issue:

5. Review the northern boundary between the neighboring development.

- C. P.Z. 7-2006 City of Chesterfield (Dierberg's Meditation Park):** A request for a change in zoning from a "R2" Residence District to a "PS" Park and Scenic District for a 1.875-acre tract of land located on the north side of Olive Boulevard at its northwest intersection with River Valley Drive. (13703 Olive Boulevard/16Q230381).
Proposed Use: Public park and parkway.

Ms. McCaskill-Clay noted that the Public Hearing for this petition was held on May 22, 2006. At that time, no issues were raised.

Commissioner Broemmer made a motion to approve P.Z. 7-2006 City of Chesterfield (Dierberg's Meditation Park). The motion was seconded by Commissioner Sandifer.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passed by a vote of 8 to 0.

VIII. NEW BUSINESS

- A. P.Z. 13-2006 City of Chesterfield (Drury Development Corporation):** A request for an amendment to Section I. "Permitted Uses" of City of Chesterfield Ordinance 2173 to permit placement of disguised communications antennae per the requirements of City of Chesterfield Ordinance 1214 on the Drury Plaza Hotel, a "PC" Planned Commercial District-zoned development located adjacent to Chesterfield Mall at the intersection of Clarkson Road and U.S. Highway 40/Interstate 64. (18S230433, 18S210172)

Ms. McCaskill-Clay stated that the request is to include uses that would allow installation of communications antennae on the structure of the hotel, as well as approval criteria regarding visibility and the application of Section 1003.167 of the City of Chesterfield Zoning Ordinance for approval criteria.

Commissioner Hirsch made a motion to accept **P.Z. 13-2006 City of Chesterfield (Drury Development Corporation)**. The motion was seconded by **Commissioner O'Connor**.

Upon roll call, the vote was as follows:

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

Abstention: Commissioner Asmus
(Commissioner Asmus abstained from voting for reasons he had addressed with the Commission and the City Attorney.)

Nay: None

The motion **passed** by a vote of 7 to 0.

B. P.Z. 11-2006 Blacks Ridge Office Building (Brinkmann Construction): A request for an amendment to City of Chesterfield Ordinance 1557 to allow for Medical Office as a proposed use for a 4.26 acre "PC" Planned Commercial District located on the north side of Swingley Ridge Road at 16253 Swingley Ridge Road. (18S140442).

Ms. McCaskill-Clay stated that the request is to allow "Medical and Dental Offices" as a permitted use. The Attachment A has been updated to meet the current criteria for commercial developments.

Commissioner ~~Perantoni~~ Broemmer made a motion to approve **P.Z. 11-2006 Blacks Ridge Office Building (Brinkmann Construction)**. The motion was seconded by **Commissioner Perantoni**.

Upon roll call, the vote was as follows:

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

Nay: None

The motion **passed** by a vote of 8 to 0.

X. COMMITTEE REPORTS

A. Nominating Committee – Election of Officers

Commissioner O'Connor, representing the Nominating Committee, recommended the following slate of officers:

Chair: Commissioner Hirsch
Vice-Chair: Commissioner Sandifer
Secretary: Commissioner Banks

No other nominations were recommended.

Commissioner Broemmer made a motion to approve the slate as presented. The motion was seconded by Commissioner O'Connor.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passed by a vote of 8 to 0.

- B. Committee of the Whole**
- C. Ordinance Review Committee**
- D. Architectural Review Committee**
- E. Landscape Committee**
- F. Comprehensive Plan Committee**
- G. Procedures and Planning Committee**
- H. Landmarks Preservation Commission**

XI. ADJOURNMENT

The meeting adjourned at 7:58 p.m.

David Banks, Secretary