

CORRECTED

PLANNING COMMISSION OF THE CITY OF CHESTERFIELD AT CHESTERFIELD CITY HALL August 9, 2004

The meeting was called to order at 7:10 p.m.

I. PRESENT

Mr. David G. Asmus
Mr. David Banks
Mr. Fred Broemmer
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Thomas Sandifer
Chairman Victoria Sherman
Mayor John Nations
City Attorney Doug Beach
Mr. Bruce Geiger, Council Liaison
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. Christine Smith Ross, Project Planner
Ms. Mary Ann Madden, Planning Assistant

ABSENT

Dr. Maurice L. Hirsch, Jr.

II. INVOCATION: Commissioner Perantoni

III. PLEDGE OF ALLEGIANCE

Chairman Sherman acknowledged the attendance of Mayor John Nations, Councilmember Bruce Geiger, Planning & Zoning Liaison (Ward II), Councilmember Mary Brown (Ward IV), Councilmember Barry Streeter (Ward II) and Councilmember Connie Fults (Ward IV).

Commissioner O'Connor read the "Opening Comments" for Public Hearings.

IV. PUBLIC HEARINGS

- A. **P.Z. 18-2004 City of Chesterfield (Tree Manual)**: A request to codify the City of Chesterfield's guidelines/regulations relative to landscaping and trees into the City of Chesterfield Zoning Ordinance and to establish new regulations in regards to tree preservation, tree removal, and landscaping.

Project Planner Aimee Nassif gave a power point presentation outlining the following points:

- The purpose of the Tree Manual is to provide a detailed guide for the preservation and planting of trees, along with maintaining the character and benefits derived from trees. It also provides tree protection design standards and codifies all the guidelines pertaining to the trees from the landscape guidelines, subdivision ordinance, zoning ordinance and current tree ordinance into one Tree Manual.
- The terms and provisions of the Manual will apply to all vacant or undeveloped land and all property to be redeveloped including additions and alterations.
- There are several tree preservation requirements, including:
 - A minimum of 30% should be maintained as wooded area without disturbing the roots of trees in the protected wooded area.
 - The developer shall not include any trees or wooded areas in easements, building areas, or rights-of-way as preserved or protected to satisfy the canopy coverage requirements.
 - No plant material shall be removed or planted in a "Do Not Disturb Zone" without approval from the City of Chesterfield.
- Applicants for any Rezoning, Preliminary Plan, Site Development Plan, Site Development Concept Plan, Site Development Section Plan, Subdivision Plan or Building Permit Approval will be required to submit:
 - Tree Stand Delineation
 - Tree Preservation Plan
 - Landscape Plan
- Construction Standards for Field Practice:
 - Protective fencing shall be installed.
 - Signs shall be used to designate tree protection areas.
 - During the erection, altering or repairing of any building structure, street, sidewalk, underground pipe or utility, the Contractor shall place guards, fences or barriers to prevent any injuries to trees.
- A tree removal permit will be required if the tree removal is on one acre or more and it will remove 10,000 sq. ft. or more of canopy coverage in five years.
- A tree removal permit will not be needed if the tree removal is on less than one acre **or** if the tree removal will remove less than 10,000 sq. ft. of canopy in twelve months **and** that clearing is for farming, nurseries, landscaping or similar

agricultural, horticultural or forest management use **and** there is substantial compliance with soil conservation practices.

- The Tree Manual includes the following Sections:
 - A recommended tree list
 - Street tree standards
 - Landscape requirements, including landscape buffers and setbacks
 - Special conditions for qualifying projects and application criteria for mitigation plans.

COMMENT/DISCUSSION

Councilmember Geiger asked if the Tree Manual guidelines include subdivision common ground. Project Planner Nassif replied that it does.

Councilmember Geiger referred to Appendix B of the Tree Manual, “Acceptable Species for Street Tree List” and questioned the use of: Ginkgos because of their unpleasant aroma; Pin Oaks because of the difficulty of trimming them and still maintaining an acceptable appearance; and Pear Trees because of their tendency to break easily.

Chairman Sherman stated that this list was recommended by the City’s tree consultant. She suggested that the consultant be advised of Councilmember Geiger’s concerns and be asked his opinion about the use of these trees as street trees.

Commissioner O’Connor stated if only male Ginkgo trees were planted, it may solve the problem of the offensive odor put out by the fruit from female trees. She also asked that the tree consultant pull out a list of the trees that would produce poisonous fruit or poisonous seed pods. With respect to the Pin Oaks, she would like the tree consultant to look at the City’s street tree trimming standards to see if that would resolve the problem of the branches pointing downward.

Commissioner Perantoni felt that the verbiage should be reviewed for the following:

- Page 5, #4 - “Critical Root Zone” – *‘The CRZ typically is farther from the tree trunk than the drip line as defined below.’* Commissioner Perantoni stated that there is a definition for the drip line but there is no information as to how much further the CRZ is to go.
- Page 10, #4 – *“The site plan shall be translucent and overlay on top of the tree stand delineation.”* Commissioner Perantoni stated that the overlay would be put on top of the site plan.

City Attorney Beach stated the following issues should be addressed:

- Page 7, #24 - The definition of “Wooded Area” uses the term “tract” but there is no definition of “tract”.
- Page 11, #3 – *“The removal of 10,000 square feet of tree canopy coverage or more within a five-year period.”* It is not clear whether this is a **total** of 10,000 sq. ft. over a five-year period or whether it is 10,000 sq. ft. every year.

- Page 12, #B – Exemptions: It was suggested that the wording be reviewed to clarify when a Tree Removal Permit is not required.

Commissioner Banks referred to Page 14, #B of the “Mitigation Plan”. He stated that the original thinking had been to require a certain percentage of hardwood, long-lived trees as part of the plan – it didn’t just refer to large trees and small trees. The thinking had to do with the life expectancy and expected size of the trees. He asked that the verbiage of items B.1-3 be reviewed with this in mind.

Councilmember Geiger referred to Page 9, #C – “*Prior to the issuance of any occupancy permits . . .*” Since the occupancy permit becomes the enforcement tool to make sure that a developer is in compliance, he asked for the following information:

- Who does occupancy permits?
- What’s included in occupancy permits?

Commissioner Macaluso, as Chair of the Landscape Committee, thanked Project Planner Nassif, the rest of the staff and all who attended these meetings over the past year.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL - None

Commissioner O’Connor read the closing comments for Public Hearing P.Z. 18-2004.

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the minutes of the July 26, 2004 Meeting. The motion was seconded by Commissioner Sandifer.

Commissioner Perantoni stated that she would like to go on record as expressing concern with the fact that the word “cul-de-sac” is used numerous times in the Minutes of July 26th with respect to Eagle Bluff Court. She has concern that the word “cul-de-sac” appears as if it is an accepted term in describing the area called “Court” when, in fact, it may not be representative of what was meant.

Discussion followed regarding the term “cul-de-sac” and how it was used in the Minutes.

It was decided that the use of the word “cul-de-sac” within the Minutes of July 26, 2004 should not be taken as an acceptance of the fact that the referred-to area is a cul-de-sac. It was noted that a determination has not been made one way or the other.

The motion to approve the Minutes passes by a vote of 8 to 0.

VI. PUBLIC COMMENT

1. Mr. Barry Streeter, Councilmember of Ward II, 1177 Jonesborough, Chesterfield, MO 63017, speaking in opposition to **P.Z. 14-2004 Delmar Garden**, stated the following:
 - It is the intent of Council and the intent of the residents of Ward II that between North Outer Forty and Conway, the desired development is for office buildings with operating hours Monday-Friday from 8:00 a.m.-5:00 p.m.
 - Delmar Gardens is asking for a medical facility with operating hours past 5:00 p.m. during the week, and on Saturday from 8:00 a.m.-1:00 p.m.
 - The proposed development does not meet the original intent for this area.
2. Mr. David Hauschild, 1028 South Kirkwood, St. Louis, MO 63122, speaking in favor of **P.Z. 14-2004 Delmar Garden**, stated the following:
 - He is the Administrator for the medical tenant of Delmar Gardens.
 - There is an existing Surgery Center in Kirkwood, which will be moved to the proposed site.
 - The existing business provides outpatient surgery, which sees approximately 10 patients per days.
 - On most days, the staff is gone by 3:00 p.m., however, on occasion a patient may be kept longer due to complications.

Commissioner Banks asked Mr. Hauschild to clarify the operating hours for Saturdays. Mr. Hauschild responded that the outpatient surgery would not be open on Saturday.

City Attorney Beach asked if it was possible not to schedule surgery after a particular time so that the outpatients would be leaving by 5:00 p.m. Mr. Hauschild responded that currently they do not schedule surgery after 3:00 p.m. because it is their intention to get everyone out by 5:00 p.m.

3. Mr. Charles F. Dufour, 8011 Clayton Road, St. Louis, MO 63117, attorney representing the Surgery Center of Kirkwood, speaking in favor of **P.Z. 14-2004 Delmar Garden**, stated the following:
 - His client wrote a letter to Project Planner Nassif on July 28, 2004 responding to her request about the nature of the business and information pertaining to the disposal of surgical waste.
 - The Surgery Center of Kirkwood is defined as an “ambulatory surgical center” under the Missouri Statutes and operates under this type of business license.
 - Under their business license, they are allowed to perform surgical procedures, which do not provide services or other accommodations for patients to stay more than 23 hours within the establishment.
 - As a general practice, they do not provide services that require as much time as 23 hours within the establishment.

- The definition of a medical or dental office contained within the City’s code, states “... a facility for the practice of medicine, not including inpatient or overnight care, or operating rooms for major surgery.”
- As he read the code, Mr. Dufour did not see a definition of “major surgery”.
- In the letter to Ms. Nassif, they outlined the types of surgeries that will be performed at the proposed site.
- Before transferring their Surgery Center from Kirkwood, they would like clarification from the City that the proposed surgeries will be allowed under the definition of the City’s code.
- Some of the procedures require general anesthesia.
- There may be occasions when care would need to be extended beyond the normal closing hours because of a situation where someone requires extended care.

Commissioner Broemmer asked if any of the medical waste would require going to an incinerator. Mr. Dufour responded there is a contract with a company that disposes of the medical waste. Ms. Nassif stated that this subject is addressed in the Issues Report.

Commissioner Macaluso asked if Mr. Dufour’s client would be open to restricting the definition of “medical use” to comply with just their use so that any future tenants would be required to abide by this same restriction. Chairman Sherman pointed out that any such negotiations would have to be made with the petitioner, Delmar Gardens.

4. Mr. John King, Delmar Gardens, 168 North Meramec, St. Louis, MO 63105, speaking in favor of **P.Z. 14-2004 Delmar Garden**, stated the following:
 - At the present time, there are no hours of operation limiting them in the original ordinance.
 - They have set their own limits on hours of operation.
 - If there are hours of operation limiting the other office buildings adjacent to and around them, he felt it was fair that they follow those same limitations.
 - It was understood that a 24-hour operation would not be accepted, but it was not clear that there would be a problem with Saturday hours.
 - An agreement was reached with the neighboring residents to the north regarding the operating hours.
5. Mr. Bob Brinkman, 16650 Chesterfield Grove Road, Chesterfield MO 63005 had already left the meeting and was unable to speak in favor of **Thomas & Jane Sehnert (Smokehouse Addition)**.
6. Mr. Joe Grimes, Grimes Consulting Engineers, 12300 Tesson Road, St. Louis, MO 63128, speaking in favor of **Thomas & Jane Sehnert (Smokehouse Addition)**, stated the following:
 - He was speaking for Bob Brinkman, who was unable to stay due to another engagement.
 - They are requesting that some of the old verbiage carried over from the existing ordinance gets cleaned up.
 - They will be in full compliance with the storm water master plan for the Valley.

- They will be in compliance with the green space comments.
- The petitioner has no problem putting in a sidewalk along Chesterfield Airport Road.

Commissioner Macaluso asked if they are in agreement to move their existing 20% green space up to 30%. Mr. Grimes responded that they are proposing the green space at 20%.

Commissioner Macaluso asked if the sidewalk going west will end at their property, dead-ending at both ends. Mr. Grimes responded that it would.

Commissioner Banks asked for clarification on the green space percentage. Project Planner Smith Ross stated that the Attachment A shows it as 20% and this is what the Petitioner is proposing.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

The last two petitioners for St. Louis Family Church and Tower Center were unable to make their presentations to the Site Plan Committee due to time restrictions. It was agreed to revise the agenda to allow these two petitioners to present first.

- I. **St. Louis Family Church (Field Lighting):** Amended Site Development Plan for the St. Louis Family Church development; a 16.167-acre tract of land zoned PI Planned Industrial District located on the south side of Chesterfield Airport Road, west of Valley Center Drive.

Mr. Eric Skelton, Clayton Engineering, 11920 Westline Industrial Drive, St. Louis, MO 63146 stated the following:

- They are requesting that the current site plan be amended to include 4 new light poles for the soccer field to allow for night games.

Commissioner Banks expressed concern about the height of the light poles with respect to the subdivision on the bluffs behind the soccer field.

Councilmember Geiger asked if the airport has approved the 60' light poles. Mr. Skelton replied that the airport has approved them.

Councilmember Geiger asked if these are new poles or if they are in addition to existing poles. Mr. Skelton replied that they are new poles. There are existing 32' poles for lighting the parking lot only – there currently are no lights on the soccer field.

Commissioner Broemmer expressed concern about the high visibility of the 60' poles and the amount of light that would be seen from them.

Chairman Sherman asked if there are any other lights in the area that are this high and bright.

Councilmember Geiger asked what the height is on the lights at CVAC. Project Planner David Bookless replied that the lights at the City's ballpark are 60' high. Mr. Bookless stated that there is a Light Manual that is referenced in terms of the appropriate height for light standards. In terms of sports facilities, for safety consideration, a taller range of light standards is appropriate for soccer fields. The 60' light standards are at the lower end of this range.

Commissioner Broemmer agreed with the requirements of what is needed for lighting a soccer field but expressed concern about whether the Commission wants to put this type of lighting in this particular location.

Commissioner Macaluso asked how often the lights would be used. Virgil Nelson, Associate Pastor for St. Louis Family Church, replied that currently soccer games are scheduled for Saturday and Sunday. The evening games currently scheduled are on Sunday at 6:30 p.m. and 8:30 p.m. The lights may also be used on occasion during Church events – such as on Halloween night.

Commissioner Macaluso asked if the lights would be off by 11:00 p.m. Associate Pastor Nelson replied that they would be.

Commissioner Macaluso made a motion to approve the Amended Site Development Plan as presented. The motion was seconded by Commissioner Perantoni.

Upon roll call, the vote was as follows:

Aye: **Commissioner Macaluso, Commissioner O'Connor
Commissioner Perantoni, Commissioner Sandifer,
Chairman Sherman**

Nay: **Commissioner Banks, Commissioner Broemmer,
Commissioner Asmus**

The motion passes by a vote of 5 to 3.

- J. Tower Center:** A Site Development Plan, Landscape Plan, Architectural Elevations, and Lighting Plan for an approximately 2.26 acre tract of land, zoned "PC" Planned Commercial, located on the northwest corner of Long Road and Edison Avenue at 17701 Edison Ave.

Mr. George Stock stated the following:

- He was representing GHH Investments, who is requesting approval of the retail center known as the Tower Center.
- The proposed development is located on the northwest corner of Long Road and Edison Avenue.
- It is the last remaining piece of property bound on three sides.

- The building is a one-story retail totaling 17,327 sq. ft. of which 3,787 sq. ft. is for Pulaski Bank. The balance of 13,540 sq. ft. is multi-tenant small shop retail.
- The plan has a parking requirement of 86 spaces – there are 92 shown.
- The site has access to Edison Avenue and Chesterfield Business Parkway. There is no requested access to Long Road.
- The green space is 38.9%.
- Relative to Staff's comments, the only remaining issue is a comment from ARB for four additional pine trees. This revision has been made.

Mr. Mick Weber, Mick Weber Architects gave a presentation of the elevations of the building and stated the following:

- The project is similar to the project across the street as the intention is to create a campus feel on either side of Edison Road.
- The architecture for this project includes cut stone and brick combination.
- There are some brick-cast elements that trim out the top of the façade.
- There is a combination of both shingle-style roof and flat roof structure.
- The elevations on all four sides would conceal any type of mechanical equipment, which may be on the roof.
- The individual tenant suites could be leased as individual or multiple tenant-type suites.

Commissioner Macaluso made a motion to approve the Site Development Plan, Landscape Plan, Architectural Elevations and Lighting Plan as presented. The motion was seconded by Commissioner Broemmer and **it passes by a voice vote of 8 to 0.**

For clarification, Senior Planner Annessa McCaskill-Clay, asked if the motion included the recommendations of the Architectural Review Board regarding the additional trees. Chairman Sherman stated that it does.

- A. 14691 Clayton Road (Susan Daigle CSP):** A permitted sign for a Commercial Service Procedure (CSP) on a 1.0 acre tract of land, zoned as an "E-One Acre" Estate District, located at 14691 Clayton Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the permitted sign as presented. Commissioner Banks seconded the motion and **it passes by a voice vote of 8 to 0.**

- B. Carcraft Carstar:** An Amended Site Development Plan, Landscape Plan, Architectural Elevations and Lighting Plan for an auto body shop on Lot B of Highway Forty Park, a 1.8 acre site, zoned "PC" Planned Commercial District located on Caprice Drive, north of Chesterfield Airport Road and east of Long Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Amended Site Development Plan, Landscape Plan, Architectural Elevations and Lighting Plan with the flat lens fixtures and with ~~an additional 50% more mixed~~

100% or 5 extra evergreens on the western side of the building. Commissioner Broemmer seconded the motion and **it passes by a voice vote of 8 to 0.**

- C. **Chesterfield Commons East Outlot 4 (Smokey Bones) Restaurant:** Site Development Section Plan, Landscape Plan, Architectural Elevations and Lighting Plan for a restaurant in the Chesterfield Commons East development, zoned “PC” Planned Commercial and located south of Chesterfield Airport Road, west of Chesterfield Commons East Rd at 17030 Chesterfield Airport Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Landscape Plan, Architectural Elevations and Lighting Plan with the back of the pediment on the north side having the same roof material as other roofs on that building. Commissioner Broemmer seconded the motion and **it passes by a voice vote of 8 to 0.**

- D. **Chesterfield Commons Four Outparcel B (Restaurant and Retail):** Site Development Section Plan, Landscape Plan, and Architectural Elevations for a restaurant/retail development in Chesterfield Commons Four Outparcel B, zoned “PI” Planned Industrial and located south of Chesterfield Airport Road, east of Public Works Drive at 17408 Chesterfield Airport Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to hold the Site Development Section Plan, Landscape Plan and Architectural Elevations as presented to improve the visual interest level and to address how the buildings will be situated on the lot. Commissioner Banks seconded the motion and **it passes by a voice vote of 8 to 0.**

- E. **Chesterfield Grove, Lot 3 (Maack Medical Office Building):** An Amended Site Development Plan, Landscape Plan, Architectural Elevations, and Lighting Plan for a medical office building on Lot 3 of Chesterfield Grove, zoned “C-3” Shopping District, located west of Baxter Road and east and south of Chesterfield Airport Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Amended Site Development Plan, Landscape Plan, Architectural Elevations and Lighting Plan as presented. Commissioner Banks seconded the motion.

Commissioner Perantoni stated she is withdrawing her earlier vote of “no” at the Site Plan Committee Meeting as she has since learned that the access from Baxter Road was previously approved and is not a new access.

The motion to approve passes by a voice vote of 8 to 0.

- F. **Drew Station (Sign Approval)**: Sign Approval for Drew Station zoned “C-8” Planned Commercial District located north of Baxter Road and east of Clarkson Road at 1662 Clarkson Road.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to deny sign approval of Drew Station as presented. Commissioner Banks seconded the motion and **it passes by a voice vote of 8 to 0.**

- G. **Fox & Hound Restaurant, Chesterfield Commons Four**: Architectural Elevations, Landscape Plan and Site Development Section Plan for a 1.911 acre parcel located south of Chesterfield Airport Road at its intersection with Public Works Drive.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to hold the Architectural Elevations, Landscape Plan and Site Development Section Plan as presented to address how the building should face the roads and to improve elevations and landscaping. Commissioner Banks seconded the motion and **it passes by a voice vote of 8 to 0.**

- H. **Joe’s Crab Shack (McBride and Son Center, Lot 4A)**: Amended Site Development Section Plan and Architectural Elevations for a restaurant building on Lot 4A of the McBride and Son Center development zoned “PC” Planned Commercial District located north of Chesterfield Airport Road and east of McBride and Son Corporate Center Drive.

Commissioner Macaluso, representing the Site Plan Committee, made a motion to approve the Amended Site Development Section Plan and Architectural Elevations as presented. Commissioner Broemmer seconded the motion and **it 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).

Project Planner Michael Hurlbert stated he was available to answer any questions on the proposed project.

Commissioner Macaluso made a motion to approve the change of zoning as presented. Commissioner Broemmer seconded the motion.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passes by a vote of 8 to 0.

- B. P.Z. 14-2004 Delmar Gardens:** A request for the following amendments to City of Chesterfield Ordinance 1806 for a 8.48 acre "PC" Planned Commercial District located on the north side of North Outer 40 Road, east of Delmar Gardens at 14825 and 14805 North Outer 40 Road.

Project Planner Aimee Nassif stated that P.Z. 14-2004 Delmar Gardens is a request to allow for an ordinance amendment to allow for a parking structure and a medical and dental office as permitted uses. A Public Hearing was held on June 28th at which time several issues were identified and have been addressed in the Staff Report.

Commissioner Perantoni stated that the report from the traffic engineer asked for the construction of a triple-left turn at Chesterfield Parkway. She asked how that will be addressed.

City Attorney Doug Beach replied that when the development of the whole corridor was being discussed, the construction of a triple-left hand turn was proposed as a possibility at some point when the development and traffic called for it. It is not a requirement at this time.

ISSUES:

- Referring to the Table on page 3 of the Traffic Study of July 16, 2004, where a comparison is made between office building traffic vs. medical use traffic, it was noted that AM Peak Hour is the comparison that was used. Question was raised as to whether the peak hour of a medical building is the same peak hour as an office building – it was thought that the peak hour of a medical building would be later than that of an office building. So the question was raised as to whether this chart compares "apples to apples" or whether it is an hour or two off.
- Clarification was requested on hours of operation – whether the surgery center will be open on Saturday or not.
- In terms of specific medical type of use, explore the verbiage of the license for "ambulatory surgical center".
- Clarification as to whether any patients will be seen on Saturday or whether administrative staff will be there on Saturday.

- Request for the definition of “major surgery” and whether the proposed surgery is considered “major”.

- C. **Thomas & Jane Sehnert (Smokehouse Addition)**: A request to amend the governing ordinance for a 2.42 acre tract of land zoned C-8, located south of Chesterfield Airport Road and west of Baxter Road. (Locator Numbers 17T240201 and 17T240199)

Project Planner Christine Smith Ross asked if there were any additional issues to be addressed.

ISSUES:

- Explore the possibility of escrowing funds for sidewalks to be used once the site to the west is developed to avoid putting in a sidewalk at the present time that would dead end.
- Clarification about the roof - Attachment A allows for the building of three stories; the original elevations show two stories with a continuation of the roof line that was there and the drawings seem to show it as one story. (Project Planner Smith Ross stated that she does not have new elevations to confirm how many stories the structure would be. Three stories were permitted by Ordinance 837.)

Mr. Ryan Barr, of Brinkman Constructors, addressed the issue of the roof and stated the following:

- There are currently three stories directly above the existing Smokehouse portion – not Annie Gunn’s.
- Annie Gunn’s expansion will only be one story.
- The roof structure appears to be a two-story but it’s not – it’s just that the roof height is at a two-story level.
- The existing facility is already three stories and is not getting any larger.

City Attorney Beach noted that the ordinance states “. . .shall not exceed three stories in height”. With this wording, the petitioner could come in with a full three-story building.

Project Planner Smith Ross stated that they could do that but they may tend to be limited by their ability to park.

Commissioner Macaluso made a motion to approve Attachment A for the Smokehouse addition with amendments on page 1, Building Requirements, Green Space, to change it to a minimum of 28% green space and on page 5, Item 5, include the option of putting in a sidewalk or escrowing the amount for the sidewalk. The motion was seconded by Commissioner O’Connor.

Commissioner Macaluso expressed concern that this proposal is coming in at only 20% green space.

Commissioner Asmus expressed concern about ingress and egress on Airport Road, which he felt was a traffic hazard.

Mr. Joe Grimes, Grimes Consulting Engineers, responded to Commissioner Asmus' concern by stating the following:

- The proposed plan has two widely-separated curb cuts to help with the circulation of traffic.
- More sight visibility is attained by having two separate locations and spreading them out with green space in between.
- Sight distance studies will be required as the developer goes through the site development and construction document processes with Public Works and St. Louis County.

Project Planner Smith Ross stated the following:

- This revised plan has been reviewed by Public Works. They have found the distance between the entrances to be safe and satisfactory.
- Public Works has also found this plan to be satisfactory for the ingress and egress of delivery vehicles on the far western entrance.
- The plan has been reviewed by the Highway Department and conceptually approved.

Commissioner Perantoni asked if there could be signage on the far western access that states this is for delivery only to keep the customers off of it.

Chairman Sherman asked if there should be a right-in and right-out only for the far western entrance.

Commissioner O'Connor stated that adding curb cuts on Airport Road is not consistent with what is being done in the rest of the Valley – curb cuts are being eliminated on Airport Road for safety.

Commissioner Banks asked how much expansion would be allowed with the request to increase the green space from 20% to 28%. Mr. Ryan Barr, Brinkman Constructors, replied that it would be approximately the size of a restroom. He stated that the proposed expansion is going back so that the front of the property will be maintained or will be even a little larger. Since the property started out with 30% green space, expansion won't be possible if 28% green space is required.

Commissioner Macaluso withdrew her entire motion to approve this project.

Commissioner Banks made a motion to approve the Smokehouse addition as written. Commissioner Perantoni seconded the motion.

Commissioner Perantoni asked if the petitioner had the required parking. It was noted that the petitioner has the required 169 parking spaces on its site and has a cross access parking agreement with the Grove for an additional 8 spaces.

Upon roll call, the vote to approve was as follows:

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

Nay: Commissioner Broemmer

The motion passes by a vote of 7 to 1

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS:

A. Committee of the Whole

Chairman Sherman reminded the Commissioners of the educational session scheduled for Wednesday, September 22, 2004 at 6:00 p.m.

Chairman Sherman distributed copies of the new Planning Commission Committee assignments, which have been made a part of the record.

- B. 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 was adjourned at 9:02 p.m.

Lynn O'Connor, Secretary