

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 10, 2009**

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

I. ROLL CALL

PRESENT

Ms. Wendy Geckeler
Mr. G. Elliot Grissom
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Michael Watson
Chairman Maurice L. Hirsch, Jr.

ABSENT

Mr. David Banks
Ms. Lu Perantoni

Mayor John Nations
Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Mara Perry, Senior Planner
Ms. Susan Mueller, Principal Engineer
Mr. Shawn Seymour, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Mayor John Nations and Councilmember Connie Fults, Council Liaison.

IV. PUBLIC HEARINGS – None

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the July 27, 2009 Planning Commission Meeting. The motion was seconded by **Commissioner Proctor** and **passed by a voice vote of 5 to 0 with 2 abstentions from Commissioners Nolan and Puyear.**

VI. PUBLIC COMMENT

A. **P.Z. 07-2008 Valley Gates (Summit Outer 40 Developers, LLC.):**

A request for an amendment to City of Chesterfield Ordinance 2377

Petitioner:

Mr. George Stock, Stock & Associates representing the Petitioner, 257 Chesterfield Business Parkway, Chesterfield, MO gave a PowerPoint presentation and stated the following:

- The Preliminary Plan that was utilized in the original rezoning of the property had certain setbacks and performance criteria that were laid out in Ordinance No. 2154. Specifically, there was a 65-foot setback from the northern property line. This project in this format never went forward.
- There was then a request to amend the ordinance and Ordinance 2377 was created. The intention of the Preliminary Plan approved under Ordinance 2377 was to create six (6) lots on the subject property. At that time, there were changes to a number of items – two of which the Petitioner did not take exception to at the time. These changes included: (1) a 170-foot parking setback from the north property line in lieu of the original 65-foot setback under Ordinance No. 2154; and (2) a 15-foot setback from the principal internal drive.
- It was an oversight on the part the Petitioner to not take exception to the increase in the parking setback because it is obvious from the Plan that there was very little detail relative to parking lots. The Preliminary Plan (under Ordinance No. 2377) showed multiple buildings in lieu of the previous Plan (under Ordinance No. 2154) which showed two 45,000 square foot buildings. If the Petitioner had noticed the 170-foot setback, they would have taken exception to it.
- Since the adoption of Ordinance No. 2377, a Site Development Section Plan for Value Place Hotel was presented for consideration. This project has since died. Through this process, the Petitioner learned that there were some limitations as to how far north they could build on the property because of the 170-foot setback.
- It was noted that the property is very narrow in an east-west direction and long in the north-south direction; and that there are no residential properties to the north. To the north is located the levee and the under-seepage berm. They would like to take advantage of using the under-seepage berm, which is consistent with other buildings adjacent to the levee – such as Hilton Garden, Junior Achievement, Jim Lynch Hummer, and Outdoor Motors.

- The new proposed Preliminary Plan shows two buildings and the intention of sub-dividing the lot with a property line running down the middle up to the north property line.
- They are requesting that the setback from the north property line be reduced from 170 feet to 60 feet. One item that needed to be resolved with the Public Works Department is the fact that there is an access road utilized as a trail. The City has asked that the Petitioner provide an easement to accommodate access down from the trail. The proposed 60-foot setback would not have an adverse impact on this easement and Public Works concurs with this.
- The common property line between the two lots in the north/south direction currently requires a 15-foot setback, which they feel creates an undue hardship because of the narrowness of the lot. They are requesting that this setback on the internal be reduced to 10 feet. It was noted that under Ordinance No. 2154 there was no setback from the internal; this setback was created under the second ordinance – No. 2377.

Responding to questions from the Commission, Mr. Stock clarified the following issues:

- **Ten-foot setback:** If the lot is not sub-divided, the 10-foot setback would not be an issue.
- **Possible internal roadway:** In the event there is more than one building on the lot, there will be a street or driveway, which could be integrated with the parking lot, and encumbered with cross access easements for the buildings.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- B. **Chesterfield Commons:** Parking Reduction for a 159.69 acre tract of land, zoned “C-8” Planned Commercial District located on the south side of Chesterfield Airport Road, north of Edison Avenue and between RHL Drive and Chesterfield Commons Drive.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the 10% Parking Reduction for Chesterfield Commons. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 7 to 0.**

VIII. OLD BUSINESS

- A. **P.Z. 07-2008 Valley Gates (Summit Outer 40 Developers, LLC.):** A request for an amendment to City of Chesterfield Ordinance 2377, to revise the parking setback from the northern boundary of the development and to revise the parking setback from an internal street for a 7.698 acre tract of land located north of U.S. Highway 40 and east of Boone's Crossing (17T520073).

Project Planner Shawn Seymour stated that this Petition was last before the Commission on July 13, 2009 where a motion to approve failed by a vote of 4-5. On July 23, 2009, the Planning & Public Works Committee held the Petition by a vote of 4-0. On July 27th, The Planning Commission approved a motion to reconsider the petition by a vote of 7-0.

A 65-foot parking setback from the northern boundary of this Planned Commercial District was approved in 2005. It was consequently amended to 170 feet. The Petitioner is requesting that this setback be amended to 60 feet.

In 2005, no setback was stated for internal principal streets. When the Planned Commercial District was amended in 2007, a 15-foot setback was put in place. The current request is to amend the setback to 10 feet.

Commissioner Watson asked if there are any requirements as to how close the two proposed buildings can be to each other. Mr. Seymour stated that currently the Attachment A does not have any provisions requiring a setback from Building A to Building B. However, the proposed layout that would be presented at the Site Development Plan stage will take into account the setback from an internal street.

If the 10-foot parking setback is granted, Chair Hirsch asked if the language is such that the setback would only apply to the single north-south street. Mr. Seymour replied that the Attachment A is written so that the setback applies to any internal street.

Commissioner Proctor made a motion to approve P.Z. 07-2008 Valley Gates (Summit Outer 40 Developers, LLC). The motion was seconded by Commissioner Nolan.

Upon roll call, the vote was as follows:

**Aye: Commissioner Geckeler, Commissioner Grissom,
Commissioner Nolan, Commissioner Proctor,
Commissioner Puyear, Commissioner Watson,
Chairman Hirsch**

Nay: None

The motion passed by a vote of 7 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS – Upcoming Meetings:

Ordinance Review Committee:

- Aug 26, 3 pm - to discuss Residential Districts/PUD/Far changes
- Sept 8, 3 pm - to discuss the updated Parking Chapter

Planning Commission Training Session

- Sept 2, 5:30 pm

XI. ADJOURNMENT

The meeting adjourned at 7:23 p.m.

Michael Watson, Secretary