PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 13, 2007

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

I. **PRESENT**

Mr. David Asmus
Mr. Fred Broemmer
Ms. Wendy Geckeler
Mr. G. Elliot Grissom
Ms. Lu Perantoni
Mr. Gene Schenberg
Mr. Michael Watson
Acting Chair David Banks

ABSENT

Chairman Maurice L. Hirsch, Jr.

Mayor John Nations
Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Mr. Mike Geisel, Director of Planning & Public Works
Ms. Annissa McCaskill-Clay, Assistant Director of Planning
Ms. Mara Perry, Senior Planner
Ms. Susan Mueller, Principal Engineer
Mr. Charles Campo, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. **INVOCATION:** Commissioner Watson

III. **PLEDGE OF ALLEGIANCE –** All

Acting Chair Banks acknowledged the attendance of Mayor John Nations; Councilmember Connie Fults, Council Liaison; Councilmember Bruce Geiger, Ward II; Councilmember Mike Casey, Ward III; and City Administrator Mike Herring.

IV. **PUBLIC HEARINGS –** Commissioner Asmus read the "Opening Comments" for the Public Hearings.

A. **P.Z. 31-2007 Terra Corporate Park (Chesterfield Airport Road Investments, LLC):** A request for an amendment to City of Chesterfield Ordinance 2245 to amend the allowable building square footage requirements.

STAFF PRESENTATION:

Ms. Mara Perry, Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Perry stated the following:

- The site was posted per State statutes and City of Chesterfield requirements.
- The site is surrounded by PI "Planned Industrial" zoning and M-3 "Planned Industrial" zoning. The rear of the site is adjacent to Interstate 64/Highway 40.
- Amendments being requested by Petitioner relate to "floor area". The proposed amendment is as follows:

  D. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

  1. FLOOR AREA

     a. There shall be a maximum of five (5) outparcels within this "PI" Planned Industrial District located adjacent to Chesterfield Airport Road. ~~with total floor area not to exceed 25,000 square feet.~~

     b. North of Long Road Crossing Boulevard: Total building floor area shall not exceed 150,000 square feet for a maximum of three buildings.

     c. South of Long Road Crossing Boulevard/north of the five outparcels: Total building floor area shall not exceed 60,000 square feet.

     d. The amount of square footage constructed (including outparcels) shall be based on the developer's ability to comply with the parking regulations of the City of Chesterfield Zoning Ordinance.
- Staff has received all Agency comments and has no open issues at this time.

PETITIONER'S PRESENTATION:

1. Mr. Mike Doster, Attorney representing the Petitioner, 17107 Chesterfield Airport Road, Ste. 300, Chesterfield, MO gave a PowerPoint Presentation and stated the following:
   - Ordinance #2245 was adopted on February 22, 2006.
   - This ordinance amended the original Terra Ordinance, #1708, approved on January 17, 2001.
   - Ordinance #2245 created five (5) outlots along Chesterfield Airport Road and added "retail" uses to the southern portion of the development, south of Long Road Crossing.

- The requested amendment would relate only to the outparcels. They believe the outparcels are appropriately regulated by parking – they can only build what can be parked.
- When the original amendment was requested to add the five outparcels at Chesterfield Airport Road, they did not contemplate the issue of now having a potential user for medical office use. This user would like to build an approximate 8,000-10,000 square foot building on two floors.
- It was originally contemplated that retail uses, of one-story each, would be along the outparcels.
- It is now anticipated that they may have a building with a smaller footprint but with more square footage because of it being two stories.
- If the anticipated user builds a two-story, 10,000 square foot building, there would only be 15,000 square feet remaining to allocate among the other four outparcels.
- They feel it would be more appropriate to strike the square-footage limitation and allow the natural limitation of the parking requirements to dictate what can be built in the four outlots. Along with the parking requirements dictating the square footage, Speaker noted that the overall performance standards that apply to the site would also dictate the amount of square footage that could be built – such as the open space requirement.

Mayor Nations noted that the site is zoned "PI" but asked if the Petitioner could accomplish his goals under a PC zoning. Mr. Doster replied that he would examine this request with the Petitioner.

Mayor Nations asked if there is a green space requirement on the subject ordinance. It was noted that there is an overall 30% open space requirement for the entire development.

Acting Chair Banks asked if the 25,000 square-foot limitation on the five outparcels was included in an overall square footage requirement for the entire parcel – or whether it was separate from the beginning. Mr. Doster replied that there were separate square-foot limitations for each of the sections. The 25,000 square-foot limitation was just for the outparcels. There are separate limitations for the middle and northern portions of the site.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Review whether PC zoning is feasible for the site vs. the current zoning of PI.
2. Given the setback requirements on the outparcels, is a two-story building the maximum height that would be permitted? Ms. Perry replied that the maximum allowed is three-stories or 45 feet in height for all areas of the site.
3. Parking – Ms. Perry clarified that medical use is parked more than general office use but less than retail use. The five outparcels on the submitted Concept Plan currently show 24,600 square feet if the proposed uses on the Concept Plan are built. The Concept Plan shows two restaurants, a convenience store, a bank, and a retail use.
4. If a 10,000 square-foot, two-story medical use building is built, how much is left in the bottom section? Ms. Perry replied that each parcel works independently – so each outparcel has to meet the parking setbacks, the structure setbacks, the height requirements, and the overall open space for the development. Shared parking between outparcels would only be allowed if an adjacent parcel has above the required amount of parking available.

B. P.Z. 32-2007 MPD Investments, LLC (17481 and 17485 North Outer 40 Road): A request for a change of zoning from "C-8" Planned Commercial District to "PI" Planned Industrial District for an 8.3 acre tract of land located north of North Outer 40 west of Boone's Crossing (17U520148 & 17U520159).

STAFF PRESENTATION:

Ms. Mara Perry, Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Perry stated the following:

- The subject petition was presented at a Public Hearing on July 23, 2007. Since then, the Petitioner has decided to add one more use.
- The additional proposed use is "*Animal hospitals, veterinary clinics and kennels*". All the other uses were presented at the July 23rd meeting.
- The site was posted per State statutes and City of Chesterfield requirements.
- The subject site is located in sub area 4 of the Chesterfield Valley Area and is designated as Mixed Commercial Use.
- There are outstanding issues, which were raised at the previous Public Hearing. The issues letter has been submitted to the Petitioner and Staff is waiting for a response.

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   - They are reviewing the present list of uses to pare it down.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Examine whether the development could be accomplished under PC zoning vs. PI zoning.

C. P.Z. 39-2007 Amato House (405 Griffith Lane): A request for a change of zoning from "NU" Non-Urban District to "E-One Acre" Estate District for a 2.638 acre tract of land located ¼ mile southwest of the intersection of Wild Horse Creek Road and Wilson Road (19T430161).

STAFF PRESENTATION:

Ms. Mara Perry, Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Perry stated the following:

- The site was posted per State statutes and City of Chesterfield requirements.
- Griffith Lane is a lane that comes down between the zoned "NU" and "Flood Plain NU" parcel and the zoned "R-1" and "Flood Plain R-1" parcel – the lane wraps around the subject site.
- The subject site is not located within the flood plain – the two parcels to the north of the site are in the flood plain, and Griffith Lane is partially located within the flood plain.
- There is an existing house on the northern portion of the site.
- Griffith Lane will be used as the fire lane for Fox Hill Farms.
- The subject site is located in the single family residential designation with one-acre density.

Responding to questions from the Commission, Ms. Perry stated the following:

- **Regarding Griffith Lane:** Griffith Lane is the only access into the subject site and is a private road. The Petitioners have spoken to the Public Works Department with respect to what will, and will not, be required to bring the road up to any standards.
- **Regarding the homes on Griffith Lane:** Ms. Perry stated that it is her understanding the homes on Griffith Lane are not part of an indentured subdivision.
- **Regarding whether there are any required infrastructure improvements under E-1 zoning:** Ms. Perry stated that Fox Hill Farms is doing some upgrading to make Griffith Lane a fire lane – but it is not being upgraded to City standards. Currently, letters have been sent to the various agencies with respect to what will be required on the property if anything is done on the property beyond the rezoning.

PETITIONER'S PRESENTATION:

1. Mr. Steven W. Koslovsky, Attorney representing the property owners – Francis & Leatha McAlady and Chuck & Nora Amato, 2458 Old Dorsett Road, Ste. 230, St. Louis, MO stated the following:
   - The Petitioners are requesting a rezoning from NU to E-One Acre. They have owned the property for many years. It was noted that the house is over 100 years old.
   - The ultimate intention is to sub-divide the property into two lots to allow construction of a new home on the southern portion of the lot while retaining the historic home on the northern portion of the site.
   - Several properties in the area have been rezoned for redevelopment. They feel that their rezoning request is appropriate and is consistent with the type and pattern of development in the area.

2. Mr. Charles Amato, 405 Griffith Lane, Chesterfield, MO was available for questions.

3. Ms. Nora Amato, 405 Griffith Lane, Chesterfield, MO was available for questions.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL:

1. Mr. Mike Doster, Doster, Mickes, 17107 Chesterfield Airport Road, Ste. 300, Chesterfield, MO stated he would pass on speaking.

REBUTTAL: None

ISSUES:

1. Research whether this property along Griffith Lane is in an indentured subdivision.
2. What would be the responsibility of developed lots with respect to road improvements?
3. Provide information on what has been rezoned in the area of the subject site.
4. How many homes are on Griffith Lane and how many acres are associated with each home?

Commissioner Asmus read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Schenberg made a motion to approve the minutes of the July 23, 2007 Planning Commission Meeting. The motion was seconded by Commissioner Watson and **passed by a voice vote of 7 to 0 with 1 abstention** from Commissioner Broemmer, who was not at the July 23rd meeting**.**

VI. PUBLIC COMMENT

RE: Bull Moose Tube Executive Center ASDCP and Sign Package

Petitioner:

1. Ms. Christine Preusser, Warren Sign Company, 2955 Arnold Tenbrook Road, Arnold, MO.
   Ms. Preusser stated she is representing Bull Moose Tube Executive Center. She noted that they have heard the Commission's concerns expressed during the Site Plan Committee regarding the proposed sign package. They would like to address those concerns at the August 27th meeting and request that the Amended Site Development Concept Plan and Sign Package be held at tonight's meeting.

RE: Saturn of West County (Long Road Crossing)

Petitioner:

1. Ms. Jackie Dunne, Saturn of West County, 14275 Manchester Road, St. Louis, MO was available for questions.

2. Mr. Michael E. Bauer, 12412 Powers Court, Ste, 275, St. Louis, MO was available for questions.

RE: P.Z. 24-2007 Mark Andy Inc. (18081 Chesterfield Airport Rd.)

Petitioner:

1. Mr. Mike Doster, Doster, Mickes, 17107 Chesterfield Airport Road, Ste. 300, Chesterfield, MO stated the following:
   - With respect to accomplishing the same request and usage of the property under PC zoning vs. PI, Speaker noted that there is the possibility that the Petitioner may want to expand its existing operation on the site. As a result, they want to have the PI zoning to accommodate the possible consolidation of their manufacturing operations on the site.
   - The southern portion of the site is already a light manufacturing operation.
   - PI zoning is on both sides of the subject site.
   - The PI zoning is the only district where "office, warehouse, and light industrial uses" are available.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. Bull Moose Tube Executive Center ASDCP and Sign Package: An Amended Site Development Concept Plan and Sign Package for 2.9 acres of land zoned "C8" Planned Commercial located between Forest Meadows Drive and Baxter Road on Clarkson Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion recommending rejection of the Amended Site Development Concept Plan and Sign Package. The motion **died due to the lack of a second.**

Commissioner Schenberg made a motion to hold the Amended Site Development Concept Plan and Sign Package until the August 27, 2007 Planning Commission Meeting. The motion was seconded by Commissioner Broemmer and **passed by a voice vote of 8 to 0.**

B. Chesterfield Medical Institute, LLC (Herman Stemme Office Park Lot 2c-2): A Site Development Section Plan, Architectural Elevations, Lighting Plan and Landscape Plan for a medical office in a "C8" Planned Commercial District at the intersection of Chesterfield Parkway East and Swingley Ridge Road.

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

C. **Friendship Village of West County:** A Site Development Section Plan, Architectural Elevations and Landscape Plan for a 34-acre tract of land zoned "NU" Non-Urban District, located at the northwest corner of Olive Blvd. and Arrowhead Estates Ln.

Commissioner Asmus, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Architectural Elevations, and Landscape Plan with the condition that at least 5 of the 15 evergreen trees shown on the Landscape Plan be of a type other than white pine. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 8 to 0**.

D. **Saturn of West County (Long Road Crossing):** Site Development Section Plan, Architectural Elevations, Landscape Plan and Lighting Plan for a 5.34 acre parcel zoned "PC" Planned Commercial located at the northwest corner of the intersection of Long Road and Chesterfield Airport Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Architectural Elevations, Landscape Plan, and Lighting Plan. The motion was seconded by Commissioner Schenberg.

Commissioner Geckeler made a motion to amend the motion requiring at least seven (7) evergreen trees to be of a variety other than white pine. Commissioners Asmus and Schenberg accepted the amendment to the motion.

Upon roll call, the vote was as follows:

Aye: Commissioner Broemmer, Commissioner Geckeler, Commissioner Grissom, Commissioner Schenberg, Commissioner Watson,

Nay: Commissioner Asmus, Commissioner Perantoni, Acting Chair Banks

The motion passed by a vote of 5 to 3.

E. **Spirit Energy, LLC:** Amended Architectural Elevations for a 0.92 acre tract of land located at 14804 Clayton Road, south of Clayton Road and west of Wildwood Parkway. (Locator Number 21R420714).

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

VIII. OLD BUSINESS

A. **P.Z. 24-2007 Mark Andy Inc. (18081 Chesterfield Airport Rd.)**: A request for a change of zoning from "M-3" Planned Industrial District to "PI" Planned Industrial District for a 23-acre tract of land located on the north side of Chesterfield Airport Road, one half mile west of the corner of Long Road and Chesterfield Airport Road. (17V510016)

STAFF PRESENTATION:
Mr. Charles Campo, Project Planner, stated that three issues had been identified at the Public Hearing, which remain open at this time:

- PC vs. PI zoning
- Cross access
- Access to the site

The following issues were added:

1. Circulation/entry into the site – access off of Chesterfield Airport Road.
2. Is the site over-parked? Mr. Campo replied that a portion of the site has more than the required parking.
3. If the site is parked as necessary, would the setback requirements from Chesterfield Airport Road be adjusted? Mr. Campo stated that the Petitioner complies with the setback requirements and is no longer requesting a reduction to the setback.
4. Are there any open space or green space changes associated with the rezoning?

Commissioner Perantoni asked how a site is flood-proofed. Mr. Mike Geisel, Director of Planning & Pubic Works, replied that a site could be flood-proofed through a variety of measures, such as:

- By the use of particular building materials;
- By isolating a section of the building up to four feet;
- By allowing water to flow through a structure;
- By elevating the entrance;
- By installing a mechanical closure devise that would prevent water from entering the building.

Mr. Geisel noted that in the Valley, the flood elevations are relatively shallow so it is not a difficult thing to accomplish.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:47 p.m.

_____

Gene Schenberg, Secretary

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Acting Chair David Banks

ABSENT

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II. **INVOCATION:** Commissioner Watson

III. **PLEDGE OF ALLEGIANCE –** All

Acting Chair Banks acknowledged the attendance of Mayor John Nations; Councilmember Connie Fults, Council Liaison; Councilmember Bruce Geiger, Ward II; Councilmember Mike Casey, Ward III; and City Administrator Mike Herring.

IV. **PUBLIC HEARINGS –** Commissioner Asmus read the "Opening Comments" for the Public Hearings.

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STAFF PRESENTATION:

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  1. FLOOR AREA

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SPEAKERS IN FAVOR: None

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SPEAKERS – NEUTRAL: None

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1. Review whether PC zoning is feasible for the site vs. the current zoning of PI.
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   - The PI zoning is the only district where "office, warehouse, and light industrial uses" are available.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. Bull Moose Tube Executive Center ASDCP and Sign Package: An Amended Site Development Concept Plan and Sign Package for 2.9 acres of land zoned "C8" Planned Commercial located between Forest Meadows Drive and Baxter Road on Clarkson Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion recommending rejection of the Amended Site Development Concept Plan and Sign Package. The motion **died due to the lack of a second.**

Commissioner Schenberg made a motion to hold the Amended Site Development Concept Plan and Sign Package until the August 27, 2007 Planning Commission Meeting. The motion was seconded by Commissioner Broemmer and **passed by a voice vote of 8 to 0.**

B. Chesterfield Medical Institute, LLC (Herman Stemme Office Park Lot 2c-2): A Site Development Section Plan, Architectural Elevations, Lighting Plan and Landscape Plan for a medical office in a "C8" Planned Commercial District at the intersection of Chesterfield Parkway East and Swingley Ridge Road.

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

C. **Friendship Village of West County:** A Site Development Section Plan, Architectural Elevations and Landscape Plan for a 34-acre tract of land zoned "NU" Non-Urban District, located at the northwest corner of Olive Blvd. and Arrowhead Estates Ln.

Commissioner Asmus, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Architectural Elevations, and Landscape Plan with the condition that at least 5 of the 15 evergreen trees shown on the Landscape Plan be of a type other than white pine. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 8 to 0**.

D. **Saturn of West County (Long Road Crossing):** Site Development Section Plan, Architectural Elevations, Landscape Plan and Lighting Plan for a 5.34 acre parcel zoned "PC" Planned Commercial located at the northwest corner of the intersection of Long Road and Chesterfield Airport Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Architectural Elevations, Landscape Plan, and Lighting Plan. The motion was seconded by Commissioner Schenberg.

Commissioner Geckeler made a motion to amend the motion requiring at least seven (7) evergreen trees to be of a variety other than white pine. Commissioners Asmus and Schenberg accepted the amendment to the motion.

Upon roll call, the vote was as follows:

Aye: Commissioner Broemmer, Commissioner Geckeler, Commissioner Grissom, Commissioner Schenberg, Commissioner Watson,

Nay: Commissioner Asmus, Commissioner Perantoni, Acting Chair Banks

The motion passed by a vote of 5 to 3.

E. **Spirit Energy, LLC:** Amended Architectural Elevations for a 0.92 acre tract of land located at 14804 Clayton Road, south of Clayton Road and west of Wildwood Parkway. (Locator Number 21R420714).

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

VIII. OLD BUSINESS

A. **P.Z. 24-2007 Mark Andy Inc. (18081 Chesterfield Airport Rd.)**: A request for a change of zoning from "M-3" Planned Industrial District to "PI" Planned Industrial District for a 23-acre tract of land located on the north side of Chesterfield Airport Road, one half mile west of the corner of Long Road and Chesterfield Airport Road. (17V510016)

STAFF PRESENTATION:
Mr. Charles Campo, Project Planner, stated that three issues had been identified at the Public Hearing, which remain open at this time:

- PC vs. PI zoning
- Cross access
- Access to the site

The following issues were added:

1. Circulation/entry into the site – access off of Chesterfield Airport Road.
2. Is the site over-parked? Mr. Campo replied that a portion of the site has more than the required parking.
3. If the site is parked as necessary, would the setback requirements from Chesterfield Airport Road be adjusted? Mr. Campo stated that the Petitioner complies with the setback requirements and is no longer requesting a reduction to the setback.
4. Are there any open space or green space changes associated with the rezoning?

Commissioner Perantoni asked how a site is flood-proofed. Mr. Mike Geisel, Director of Planning & Pubic Works, replied that a site could be flood-proofed through a variety of measures, such as:

- By the use of particular building materials;
- By isolating a section of the building up to four feet;
- By allowing water to flow through a structure;
- By elevating the entrance;
- By installing a mechanical closure devise that would prevent water from entering the building.

Mr. Geisel noted that in the Valley, the flood elevations are relatively shallow so it is not a difficult thing to accomplish.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:47 p.m.

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Gene Schenberg, Secretary