PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
SEPTEMBER 10, 2007

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

I. PRESENT

Mr. David Banks
Mr. Fred Broemmer
Ms. Wendy Geckeler
Mr. G. Elliot Grissom
Mr. Gene Schenberg
Mr. Michael Watson
Chairman Maurice L. Hirsch, Jr.

ABSENT

Mr. David Asmus
Ms. Lu Perantoni

Mayor John Nations
Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Ms. Susan Mueller, Principal Engineer
Ms. Aimee Nassif, Senior Planner
Ms. Mara Perry, Senior Planner
Mr. Shawn Seymour, Project Planner
Ms. Jennifer Yackley, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner Banks

III. PLEDGE OF ALLEGIANCE – All

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

IV. PUBLIC HEARINGS – Commissioner Geckeler read the "Opening Comments" for the Public Hearing.

A. <u>P.Z. 30-2007 Spirit Energy, LLC (13506 Olive):</u> A request for a change of zoning from a "C2" Commercial District to a "PC" Planned Commercial District for a .31 acre tract of land located at 13506 Olive Blvd. at the southwest corner of Olive Blvd. and Woods Mill Road.

STAFF PRESENTATION:

<u>Project Planner Jennifer Yackley</u> gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Yackley stated the following:

- This parcel was before the Planning Commission last year as P.Z. 17-2006. At that time, the Petitioner withdrew the petition prior to City Council approval
- The Petitioner has made site changes, but zoning and uses remain the same as the previous request.
- <u>Requested Permitted Uses:</u>
  (p) Filling station
  (hh) Restaurants, fast food, with drive-through service
  (ii) Restaurants, sit down
  (rr) Stores, shops, markets, service facilities and automatic vending facilities in which goods or services of any kind are offered for sale or hire to the general public on the premises.
- The site was posted according to State and City requirements.
- The Comprehensive Land Use Map designates this area as "Community Retail". The request is consistent with the Comprehensive Plan.
- <u>Changes from the Previous Plan:</u>
  - <u>Building Square Footage:</u> Decreased from 1,630 to 1,530 sq. ft.
  - <u>Parking:</u> The previous plan of 9 spaces had a shortage of 10 required spaces; the current plan meets all parking requirements with 9 spaces.
  - <u>Open Space:</u> Decreased from 17.82% to 16.74%
- <u>Items Currently Under Review</u>:
  - Adherence to Tree Manual
  - Site Circulation
  - Access Management

Responding to questions from the Commission, <u>Ms. Yackley</u> stated the following:

- **<u>Regarding Parking:</u>** The required parking has been reduced due to decreased building square footage and decreased restaurant seating.
- **<u>Regarding Landscaping:</u>** The Petitioner will be required to landscape the site.

PETITIONER'S PRESENTATION:

1. Mr. Greg Yawitz, on behalf of Spirit Energy, 6 Heather Hill, St. Louis, MO stated the following:
   - The size of the building has been changed and approximately 80% of the exterior patio, which was to be used for seating, has been eliminated. These two changes have resulted in reduced parking requirements.
   - The site is 3.1 acres in size at the southwest corner of Woods Mill and Olive.
   - They believe the requested zoning is consistent with the surrounding area.
   - There are currently two curb cuts on Olive. The Petitioner intends to eliminate one curb cut and move it as far west on the site as possible. There will be one access point on Woods Mill.
   - Because of the difficulties involved in developing this site, they have been working with City Staff and MoDOT to work out as many issues as possible.

Responding to questions from the Commission, Mr. Yawitz stated the following:

- **Regarding whether anything had changed with the neighboring sites since the previous proposal.** Mr. Yawitz indicated that there have not been any changes.
- **Regarding the location of the curb cut on Woods Mill.** The curb cut is on the southern end of the site. The curb cut is not the access for Dierberg's – it is the curb cut that provided access to the previous filling. station.

2. Mr. Jay Chambers, 50 S. Bemiston, Clayton, MO was available for questions.

SPEAKERS IN FAVOR:

1. Mr. Jerry Ebest, Vice-President of Real Estate for Dierberg's Markets, 16690 Swingley Ridge Road, Chesterfield, MO distributed a letter to the Commission, which will be made a part of the public record. Mr. Ebest stated that Dierberg's and Capitol Land are in favor of having the project move forward. However, they do have the following four concerns:
   1. They would like the access to Olive to be a right-in/right-out access. Because of the raised median, a customer using Starbucks could exit onto Olive eastbound. They have asked their traffic expert to put together a concept that would make the access very usable for customers. This would require an approximate four-foot easement, which Dierberg's would grant to Starbucks.
   2. They are asking for a concrete curb along the west and southern property lines.
   3. They are asking the City to ask the property owner to restrict the property against an ice cream or ice cream-type use. The parking and access points are very important to Dierberg's Markets along the

northern line. If the property were leased to an ice cream shop, it would cause problems for Dierberg's.

4. They have concerns about cut-thru traffic and do not want to establish an adverse possession in favor of the property user.

Responding to questions from the Commission, Mr. Ebest stated the following:

- **Regarding cross access:** Dierberg's is not able to offer cross access to the subject Petitioner because Dierberg's has a tenant, whose lease includes a restriction against any of Dierberg's property being used for a coffee shop. Dierberg's cannot put itself in a position to be sued.
- **Regarding an ice cream shop:** Dierberg's has concerns about the amount of vehicular and pedestrian traffic an ice cream shop on this site would generate. He noted that Dierberg's would not grant cross access to the site for an ice cream shop.

Commissioner Broemmer stated that not having cross access between Dierberg's and the subject site creates a safety hazard. He further noted the importance of this corner as it is the entrance to the City from the east.

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL:

1. Mr. Alan Sheppard, 826 Judson Manor, Chesterfield, MO stated the following:
   - His property is within walking distance of the subject intersection.
   - Because of safety issues, he has concerns about a drive-thru restaurant at this site.
   - He asked whether the Commission has information on the amount of traffic flow in this area. Chair Hirsch stated that the Commission has this information.
   - He suggested contacting MoDOT to see if this corner could be made larger. Chair Hirsch stated that the City gets comments from all relative agencies, including MoDOT, on any project in the City.
   - He asked that this petition be held.

Mayor Nations acknowledged Mr. Sheppard as a past member of City Council from 1997-1999 and thanked him for his comments.

REBUTTAL:

1. Mr. Yawitz stated the following:
   - Regarding Dierberg's request for raised curbs on the west and south sides of the property line, the Petitioner is agreeable to providing them if the City deems this to be in the best interest of the development.
   - Regarding the deed restrictions, the owner was not present for Mr. Yawitz to respond to the issue.

- Regarding detailing a future agreement not to seek adverse possession over the potential use of the Dierberg's property, they have discussed this in advance of the meeting and are in agreement.
- They are contemplating a right-in/right-out turn on Olive.
- They have discussed the site, at length, with MoDOT.

ISSUES:

1. Site circulation
2. Traffic along Olive and Woods Mill
3. Cross access
4. Importance of the corner as to its location in terms of City boundaries
5. Possibly eliminating the use of ice cream shop

Commissioner Geckeler read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the minutes of the August 27, 2007 Planning Commission Meeting. The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 7 to 0.**

VI. PUBLIC COMMENT

RE: Bull Moose Tube Executive Center ASDCP and Sign Package

Petitioner:

1. Mr. Mike Doster, on behalf of Pepose Vision, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
   - The depiction of the monument sign, shown at the last Planning Commission Meeting, was incorrect – the sign shown is too large and is in the wrong location.
   - The subject development consists of a two-lot subdivision. The Pepose Building would be on one lot and the existing Bull Moose Building is on a second lot with both lots having frontage on Clarkson.
   - There is common ground between the two lots in the area where the detention has been constructed and where the proposed monument sign would be located.
   - Since there are two lots, each lot would be entitled to a monument sign at Clarkson Road under the strict sign regulations.
   - They are proposing to eliminate the existing monument sign for Bull Moose and replace it with a single monument sign that would service both lots.

- The internal drive services both buildings. Since they are requesting only one monument sign when they are entitled to two, they feel a second sign further into the development - in front of the Pepose Building - is justified.
- A comparison of the existing monument sign vs. the proposed sign was given as follows:

	Existing Sign	**Proposed Sign**
Height	8’	11’ 8”
Setback	27’6” from Clarkson	30’ from Clarkson
Square Footage	75 sq. ft.	78 sq. ft.

- Going north on Clarkson from the base of the existing monument sign, the elevation decreases by 4’9”. From a visual standpoint, if a motorist is coming south on Clarkson, the existing and proposed signs are approximately the same height.
- The mass of the total structure can be reduced by reducing the size of the support columns of the sign.
- Since the monument sign would be located on common ground, it would be governed by an indenture that will be administered by Trustees for the benefit of both lots in this subdivision.

Responding to questions from the Commission, Mr. Doster stated the following:

- **Regarding the indentures:** There is an existing indenture, which may need to be updated to include the monument sign. The intent of the indentures would be to provide for the maintenance and upkeep of the sign.
- **Regarding the possibility of having two signs with a smaller scale:** The Petitioner considered having two signs with a smaller scale, but considering the scale of the development, the two lots, and the respected buildings on the two lots, it was felt that a larger sign was more advisable - not only in terms of proportions, but in terms of visibility on Clarkson. The existing monument sign cannot be seen very well from Clarkson - it cannot be seen well from traffic moving northbound on Clarkson; and coming southbound on Clarkson, a motorist could be past the entrance before seeing the sign. It is felt that a single monument sign is a good compromise as it eliminates two signs. However, the sign needs to be large enough so people looking for Bull Moose or Pepose would be able to see it from a distance in order to locate the turning point into the site.
- **Regarding visibility of the sign:** The existing sign has visibility problems because of its location, the existing landscaping around it, and the elevation.
- **Regarding why the Bull Moose wall signs are included in the sign package:** Ms. Aimee Nassif, Senior Planner, stated that a sign package includes a comprehensive list of all the signage for the entire development, which is why the wall signs are part of the sign package. She noted that the wall signs have already been approved.
- **Regarding access to the site from Clarkson:** A motorist heading north on Clarkson is able to make a left-hand turn into the site from Clarkson.

2. Mr. Rick Clawson, ACI/Boland Architects, 11477 Olde Cabin Road, St. Louis, MO gave a PowerPoint Presentation showing how the proposed sign would look in its proposed location. He then stated the following:
   - The proposed sign in its new location clears up a lot of the site distance and visibility issues at the intersection.
   - After talking to Warren Sign Company, it was determined that the side columns can be reduced by approximately one-half in order to reduce the visual impact of the size of the sign. This change would reduce the structure part of the sign by about 29 square feet on each side of the sign for a total of about 58 square feet.
   - There is a four-foot high aluminum fence being constructed around the MSD-required detention basin. Once the fence is completed, it will go around in front of the sign and will be seen as one heads south on Clarkson.
   - The proposed sign will be reduced from its original size of 15' in width to 12'6" in width maintaining the 11'8" height realizing that the bottom 4' of the sign will be obscured by the aluminum fence around the MSD detention basin.
   - The proposed smaller internal monument sign for Pepose will not be visible from Clarkson – it will only be visible from the interior of the site.
   - The mature vegetation surrounding the existing monument sign will not be removed once the sign is removed.

Commissioner Geckeler pointed out that the existing sign won an award from the Beautification Committee two years because of the landscaping surrounding it. Mr. Clawson stated that although the sign would be removed, the existing plantings and trees would remain. In addition, new vegetation will be planted around the proposed monument sign at its new location.

Responding to questions from the Commission, Mr. Clawson stated the following:
- **Regarding the total square footage of the originally-proposed sign:** The total square footage of the sign and structural area is approximately 8' by 15' plus the additional height of the concrete bases.
- **Regarding the total square footage of the currently-proposed sign:** The total square footage of the proposed sign has been reduced 58 square feet from the original proposed sign by reducing the size of the columns by 29 square feet each.

Ms. Nassif pointed out that the Zoning Ordinance permits each of these lots to have its own monument sign if the Petitioner had chosen to do so. The Petitioner has requested only one monument sign under its sign package.

RE: P.Z. 20-2007 Buchholz Mortuaries, Inc. (2211 Clarkson)

Petitioner:

1. Mr. Campbell Mulvihill, representing Buchholz Mortuary, 205 Slocum Avenue, Webster Groves, MO stated that the Petitioner has responded to all the issues. He then indicated he was available for any questions.

2. Mr. Tom Buchholz, 4403 Cloverbrook Drive, St. Louis, MO was available for any questions.

RE: P.Z. 31-2007 Terra Corporate Park

Petitioner:

1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO was available for questions.

RE: P.Z. 34-2007 Blue Ocean (Johnny Y Properties LLC)

Petitioner:

1. Mr. Chris Kehr, 911 South 13th Street, St. Louis, MO was available for questions.

2. Mr. Jeffrey R. Smith, Musler Engineering, 32 Portwest Court, St. Charles, MO was available for questions.

RE: P.Z. 39-2007 Amato House (405 Griffith Lane)

Petitioner:

1. Ms. Nora Amato, 405 Griffith Lane, Chesterfield, MO passed on speaking.

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

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. **14760 Timberbluff Drive**: House addition on the east side of an existing home zoned "R-2" Residential, located at 14760 Timberbluff Drive in the Thousand Oaks Subdivision

Commissioner Schenberg, representing the Site Plan Committee, made a motion to approve the House Addition for 14760 Timberbluff Drive. The motion was seconded by Commissioner Grissom and **passed by a voice vote of 7 to 0**.

B. **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 Schenberg reported that the Committee had agreed not to vote on this project at the Committee level in order to give the Petitioner the opportunity to make its presentation at the Planning Commission meeting.

Commissioner Broemmer made a motion to approve the Amended Site Development Concept Plan and Sign Package, as presented showing a reduction in size in the sign and in its new location. The motion was seconded by Commissioner Banks and **passed by a voice vote of 6 to 1** with Commissioner Geckeler voting "no".

C. **Porta-Fab (Mechanical Enclosure) Spirit Airpark:** An Amended Site Development Plan for 5.75 acres of land zoned "M-3" Planned Industrial District located along Chesterfield Airport Rd. east of Spirit of St. Louis Blvd. and west of Goddard Ave.

Commissioner Schenberg, representing the Site Plan Committee, made a motion to approve the Amended Site Development Plan. The motion was seconded by Commissioner Banks and **passed by a voice vote of 7 to 0**.

D. **The Reserve at Chesterfield Village Plat 1:** Record Plat for a 28.1 acre parcel zoned "R-8" Residential 500 sq. ft. District, "R-5" Residential 6,000 sq. ft. District, and "FPR-5" Flood Plain Residence District within a "PEU" Planned Environment Unit located on the east side of Baxter Rd. north of August Hill Dr. and south of Wild Horse Creek Rd.

Commissioner Schenberg, representing the Site Plan Committee, made a motion to approve the Record Plat with the correction in the number of lots as follows: 1 lot for multi-family residential, 30 lots for detached single-family residences, and 34 lots for attached single-family residences. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 7 to 0**.

VIII. OLD BUSINESS

A. **P.Z. 20-2007 Buchholz Mortuaries, Inc. (2211 Clarkson)**: A request for a change of zoning from a "R1" Residence District with a Conditional Use Permit to a "PC" Planned Commercial District for an approximately 3.26 acre parcel of land located at 2211 Clarkson Road, at the intersection of Clarkson Road and Wilson Road.

Ms. Jennifer Yackley, Project Planner, stated that there are two Site Plan deficiencies on the site:

1. The site does not meet the internal drive setbacks on its southern boundary as outlined in the Zoning Ordinance for commercial developments that sit next to "NU" properties. They currently have 18 feet and would need 25 feet.
2. The Tree Manual requires a 30-foot landscape buffer for non-residential sites that abut residential sites. The site does not meet this requirement along its southern boundary. The Petitioner has submitted a written variance request to the Director of Planning & Public Works, which has not yet been reviewed.

The request to rezone to "Planned Commercial" is inconsistent with the Comprehensive Plan, which calls for this area to be "Residential". It was noted that the properties behind the subject site are in Clarkson Valley (a high school and farm property) and are zoned "Semi-rural, residential". Clarkson Valley only has two zoning categories – "Semi-rural, residential" and "Commercial".

Commissioner Schenberg made a motion to approve P.Z. 20-2007 Buchholz Mortuaries, Inc. (2211 Clarkson). The motion was seconded by Commissioner Banks.

Upon roll call, the vote was as follows:

Aye: None

Nay: Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner Grissom, Commissioner Schenberg, Commissioner Watson, Chairman Hirsch

The motion failed by a vote of 0 to 7.

B. 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)

Chair Hirsch announced that the Petitioner has asked that this petition be held until the next meeting.

Commissioner Schenberg made a motion to hold P.Z. 24-2007 Mark Andy Inc. (18081 Chesterfield Airport Rd.) until the next meeting of the Planning Commission. The motion was seconded by Commissioner Grissom and **passed by a voice vote of 7 to 0.**

C. P.Z. 31-2007 Terra Corporate Park: A request for an amendment to City of Chesterfield Ordinance 2245 to amend the allowable building square footage requirements.

Mr. Shawn Seymour, Project Planner, stated that the Petitioner is asking for an amendment to remove the required maximum of 25,000 square feet of allowable building square footage permitted in the outparcels. The Public Hearing was held on August 13, 2007 at which time one issue was identified questioning whether the proposed uses could be accomplished under Planned Commercial District vs. Planned Industrial District. The Staff Report lists the uses permitted under "PI" but not permitted under "PC". The Petitioner has also addressed the issue by letter of August 31, 2007, which is included in the Staff Report.

Commissioner Broemmer asked what the maximum square footage would be allowed if the requested amendment is granted. Mr. Seymour replied that the square footage would be determined through other ordinance requirements such as the open space, parking requirements, and front, rear, and side yard setbacks.

Commissioner Schenberg made a motion to approve P.Z. 31-2007 Terra Corporate Park. The motion was seconded by Commissioner Geckeler.

Upon roll call, the vote was as follows:

Aye: Commissioner Geckeler, Commissioner Grissom, Commissioner Schenberg, Commissioner Watson, Commissioner Banks, Commissioner Broemmer, Chairman Hirsch

Nay: None

The motion passed by a vote of 7 to 0.

D. P.Z. 34-2007 Blue Ocean (Johnny Y Properties LLC): A request for a change of zoning from "M3" Planned Industrial District to "PC" Planned Commercial District for 2.7 acre tracts of land located south of US Highway 40&61, east of Chesterfield Commons Drive (17T230123, 17T230112)
Proposed Uses include: Restaurants, sit down.

Ms. Aimee Nassif, Senior Planner, stated that the Petitioner is requesting only the use of "restaurant". The Public Hearing was held July 9, 2007 at which time several issues were identified concerning internal circulation of the site and access. At the Issues Meeting, additional concerns were expressed regarding the internal circulation and access. The Staff Report indicates that most of these issues will be worked out during Site Plan review. The Petitioner has also responded to some of these issues.

Commissioner Watson made a motion to approve P.Z. 34-2007 Blue Ocean (Johnny Y Properties LLC). The motion was seconded by Commissioner Grissom.

Upon roll call, the vote was as follows:

Aye: Commissioner Grissom, Commissioner Schenberg, Commissioner Watson, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Chairman Hirsch

Nay: None

The motion passed by a vote of 7 to 0.

E. 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).

Ms. Mara Perry, Senior Planner, stated that the Public Hearing was held on August 13, 2007 at which time several issues were identified. The Staff Report includes a letter from the Petitioner addressing the issues, along with Staff responses to three of the issues.

Commissioner Geckeler made a motion to approve P.Z. 39-2007 Amato House (405 Griffith Lane). The motion was seconded by Commissioner Schenberg.

Upon roll call, the vote was as follows:

Aye: Commissioner Schenberg, Commissioner Watson, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner Grissom, Chairman Hirsch

Nay: None

The motion passed by a vote of 7 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS

A. Ordinance Review Committee

Chair Hirsch reported that the Director of Planning & Public Works has provided an update of the various items being prepared for the Ordinance Review Committee's consideration. A meeting will be scheduled in the near future.

XI. ADJOURNMENT

The meeting adjourned at 8:02 p.m.

_____

Gene Schenberg, Secretary

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SPEAKERS – NEUTRAL:

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REBUTTAL:

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3. Cross access
4. Importance of the corner as to its location in terms of City boundaries
5. Possibly eliminating the use of ice cream shop

Commissioner Geckeler read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the minutes of the August 27, 2007 Planning Commission Meeting. The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 7 to 0.**

VI. PUBLIC COMMENT

RE: Bull Moose Tube Executive Center ASDCP and Sign Package

Petitioner:

1. Mr. Mike Doster, on behalf of Pepose Vision, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
   - The depiction of the monument sign, shown at the last Planning Commission Meeting, was incorrect – the sign shown is too large and is in the wrong location.
   - The subject development consists of a two-lot subdivision. The Pepose Building would be on one lot and the existing Bull Moose Building is on a second lot with both lots having frontage on Clarkson.
   - There is common ground between the two lots in the area where the detention has been constructed and where the proposed monument sign would be located.
   - Since there are two lots, each lot would be entitled to a monument sign at Clarkson Road under the strict sign regulations.
   - They are proposing to eliminate the existing monument sign for Bull Moose and replace it with a single monument sign that would service both lots.

- The internal drive services both buildings. Since they are requesting only one monument sign when they are entitled to two, they feel a second sign further into the development - in front of the Pepose Building - is justified.
- A comparison of the existing monument sign vs. the proposed sign was given as follows:

	Existing Sign	**Proposed Sign**
Height	8’	11’ 8”
Setback	27’6” from Clarkson	30’ from Clarkson
Square Footage	75 sq. ft.	78 sq. ft.

- Going north on Clarkson from the base of the existing monument sign, the elevation decreases by 4’9”. From a visual standpoint, if a motorist is coming south on Clarkson, the existing and proposed signs are approximately the same height.
- The mass of the total structure can be reduced by reducing the size of the support columns of the sign.
- Since the monument sign would be located on common ground, it would be governed by an indenture that will be administered by Trustees for the benefit of both lots in this subdivision.

Responding to questions from the Commission, Mr. Doster stated the following:

- **Regarding the indentures:** There is an existing indenture, which may need to be updated to include the monument sign. The intent of the indentures would be to provide for the maintenance and upkeep of the sign.
- **Regarding the possibility of having two signs with a smaller scale:** The Petitioner considered having two signs with a smaller scale, but considering the scale of the development, the two lots, and the respected buildings on the two lots, it was felt that a larger sign was more advisable - not only in terms of proportions, but in terms of visibility on Clarkson. The existing monument sign cannot be seen very well from Clarkson - it cannot be seen well from traffic moving northbound on Clarkson; and coming southbound on Clarkson, a motorist could be past the entrance before seeing the sign. It is felt that a single monument sign is a good compromise as it eliminates two signs. However, the sign needs to be large enough so people looking for Bull Moose or Pepose would be able to see it from a distance in order to locate the turning point into the site.
- **Regarding visibility of the sign:** The existing sign has visibility problems because of its location, the existing landscaping around it, and the elevation.
- **Regarding why the Bull Moose wall signs are included in the sign package:** Ms. Aimee Nassif, Senior Planner, stated that a sign package includes a comprehensive list of all the signage for the entire development, which is why the wall signs are part of the sign package. She noted that the wall signs have already been approved.
- **Regarding access to the site from Clarkson:** A motorist heading north on Clarkson is able to make a left-hand turn into the site from Clarkson.

2. Mr. Rick Clawson, ACI/Boland Architects, 11477 Olde Cabin Road, St. Louis, MO gave a PowerPoint Presentation showing how the proposed sign would look in its proposed location. He then stated the following:
   - The proposed sign in its new location clears up a lot of the site distance and visibility issues at the intersection.
   - After talking to Warren Sign Company, it was determined that the side columns can be reduced by approximately one-half in order to reduce the visual impact of the size of the sign. This change would reduce the structure part of the sign by about 29 square feet on each side of the sign for a total of about 58 square feet.
   - There is a four-foot high aluminum fence being constructed around the MSD-required detention basin. Once the fence is completed, it will go around in front of the sign and will be seen as one heads south on Clarkson.
   - The proposed sign will be reduced from its original size of 15' in width to 12'6" in width maintaining the 11'8" height realizing that the bottom 4' of the sign will be obscured by the aluminum fence around the MSD detention basin.
   - The proposed smaller internal monument sign for Pepose will not be visible from Clarkson – it will only be visible from the interior of the site.
   - The mature vegetation surrounding the existing monument sign will not be removed once the sign is removed.

Commissioner Geckeler pointed out that the existing sign won an award from the Beautification Committee two years because of the landscaping surrounding it. Mr. Clawson stated that although the sign would be removed, the existing plantings and trees would remain. In addition, new vegetation will be planted around the proposed monument sign at its new location.

Responding to questions from the Commission, Mr. Clawson stated the following:
- **Regarding the total square footage of the originally-proposed sign:** The total square footage of the sign and structural area is approximately 8' by 15' plus the additional height of the concrete bases.
- **Regarding the total square footage of the currently-proposed sign:** The total square footage of the proposed sign has been reduced 58 square feet from the original proposed sign by reducing the size of the columns by 29 square feet each.

Ms. Nassif pointed out that the Zoning Ordinance permits each of these lots to have its own monument sign if the Petitioner had chosen to do so. The Petitioner has requested only one monument sign under its sign package.

RE: P.Z. 20-2007 Buchholz Mortuaries, Inc. (2211 Clarkson)

Petitioner:

1. Mr. Campbell Mulvihill, representing Buchholz Mortuary, 205 Slocum Avenue, Webster Groves, MO stated that the Petitioner has responded to all the issues. He then indicated he was available for any questions.

2. Mr. Tom Buchholz, 4403 Cloverbrook Drive, St. Louis, MO was available for any questions.

RE: P.Z. 31-2007 Terra Corporate Park

Petitioner:

1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO was available for questions.

RE: P.Z. 34-2007 Blue Ocean (Johnny Y Properties LLC)

Petitioner:

1. Mr. Chris Kehr, 911 South 13th Street, St. Louis, MO was available for questions.

2. Mr. Jeffrey R. Smith, Musler Engineering, 32 Portwest Court, St. Charles, MO was available for questions.

RE: P.Z. 39-2007 Amato House (405 Griffith Lane)

Petitioner:

1. Ms. Nora Amato, 405 Griffith Lane, Chesterfield, MO passed on speaking.

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

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. **14760 Timberbluff Drive**: House addition on the east side of an existing home zoned "R-2" Residential, located at 14760 Timberbluff Drive in the Thousand Oaks Subdivision

Commissioner Schenberg, representing the Site Plan Committee, made a motion to approve the House Addition for 14760 Timberbluff Drive. The motion was seconded by Commissioner Grissom and **passed by a voice vote of 7 to 0**.

B. **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 Schenberg reported that the Committee had agreed not to vote on this project at the Committee level in order to give the Petitioner the opportunity to make its presentation at the Planning Commission meeting.

Commissioner Broemmer made a motion to approve the Amended Site Development Concept Plan and Sign Package, as presented showing a reduction in size in the sign and in its new location. The motion was seconded by Commissioner Banks and **passed by a voice vote of 6 to 1** with Commissioner Geckeler voting "no".

C. **Porta-Fab (Mechanical Enclosure) Spirit Airpark:** An Amended Site Development Plan for 5.75 acres of land zoned "M-3" Planned Industrial District located along Chesterfield Airport Rd. east of Spirit of St. Louis Blvd. and west of Goddard Ave.

Commissioner Schenberg, representing the Site Plan Committee, made a motion to approve the Amended Site Development Plan. The motion was seconded by Commissioner Banks and **passed by a voice vote of 7 to 0**.

D. **The Reserve at Chesterfield Village Plat 1:** Record Plat for a 28.1 acre parcel zoned "R-8" Residential 500 sq. ft. District, "R-5" Residential 6,000 sq. ft. District, and "FPR-5" Flood Plain Residence District within a "PEU" Planned Environment Unit located on the east side of Baxter Rd. north of August Hill Dr. and south of Wild Horse Creek Rd.

Commissioner Schenberg, representing the Site Plan Committee, made a motion to approve the Record Plat with the correction in the number of lots as follows: 1 lot for multi-family residential, 30 lots for detached single-family residences, and 34 lots for attached single-family residences. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 7 to 0**.

VIII. OLD BUSINESS

A. **P.Z. 20-2007 Buchholz Mortuaries, Inc. (2211 Clarkson)**: A request for a change of zoning from a "R1" Residence District with a Conditional Use Permit to a "PC" Planned Commercial District for an approximately 3.26 acre parcel of land located at 2211 Clarkson Road, at the intersection of Clarkson Road and Wilson Road.

Ms. Jennifer Yackley, Project Planner, stated that there are two Site Plan deficiencies on the site:

1. The site does not meet the internal drive setbacks on its southern boundary as outlined in the Zoning Ordinance for commercial developments that sit next to "NU" properties. They currently have 18 feet and would need 25 feet.
2. The Tree Manual requires a 30-foot landscape buffer for non-residential sites that abut residential sites. The site does not meet this requirement along its southern boundary. The Petitioner has submitted a written variance request to the Director of Planning & Public Works, which has not yet been reviewed.

The request to rezone to "Planned Commercial" is inconsistent with the Comprehensive Plan, which calls for this area to be "Residential". It was noted that the properties behind the subject site are in Clarkson Valley (a high school and farm property) and are zoned "Semi-rural, residential". Clarkson Valley only has two zoning categories – "Semi-rural, residential" and "Commercial".

Commissioner Schenberg made a motion to approve P.Z. 20-2007 Buchholz Mortuaries, Inc. (2211 Clarkson). The motion was seconded by Commissioner Banks.

Upon roll call, the vote was as follows:

Aye: None

Nay: Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner Grissom, Commissioner Schenberg, Commissioner Watson, Chairman Hirsch

The motion failed by a vote of 0 to 7.

B. 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)

Chair Hirsch announced that the Petitioner has asked that this petition be held until the next meeting.

Commissioner Schenberg made a motion to hold P.Z. 24-2007 Mark Andy Inc. (18081 Chesterfield Airport Rd.) until the next meeting of the Planning Commission. The motion was seconded by Commissioner Grissom and **passed by a voice vote of 7 to 0.**

C. P.Z. 31-2007 Terra Corporate Park: A request for an amendment to City of Chesterfield Ordinance 2245 to amend the allowable building square footage requirements.

Mr. Shawn Seymour, Project Planner, stated that the Petitioner is asking for an amendment to remove the required maximum of 25,000 square feet of allowable building square footage permitted in the outparcels. The Public Hearing was held on August 13, 2007 at which time one issue was identified questioning whether the proposed uses could be accomplished under Planned Commercial District vs. Planned Industrial District. The Staff Report lists the uses permitted under "PI" but not permitted under "PC". The Petitioner has also addressed the issue by letter of August 31, 2007, which is included in the Staff Report.

Commissioner Broemmer asked what the maximum square footage would be allowed if the requested amendment is granted. Mr. Seymour replied that the square footage would be determined through other ordinance requirements such as the open space, parking requirements, and front, rear, and side yard setbacks.

Commissioner Schenberg made a motion to approve P.Z. 31-2007 Terra Corporate Park. The motion was seconded by Commissioner Geckeler.

Upon roll call, the vote was as follows:

Aye: Commissioner Geckeler, Commissioner Grissom, Commissioner Schenberg, Commissioner Watson, Commissioner Banks, Commissioner Broemmer, Chairman Hirsch

Nay: None

The motion passed by a vote of 7 to 0.

D. P.Z. 34-2007 Blue Ocean (Johnny Y Properties LLC): A request for a change of zoning from "M3" Planned Industrial District to "PC" Planned Commercial District for 2.7 acre tracts of land located south of US Highway 40&61, east of Chesterfield Commons Drive (17T230123, 17T230112)
Proposed Uses include: Restaurants, sit down.

Ms. Aimee Nassif, Senior Planner, stated that the Petitioner is requesting only the use of "restaurant". The Public Hearing was held July 9, 2007 at which time several issues were identified concerning internal circulation of the site and access. At the Issues Meeting, additional concerns were expressed regarding the internal circulation and access. The Staff Report indicates that most of these issues will be worked out during Site Plan review. The Petitioner has also responded to some of these issues.

Commissioner Watson made a motion to approve P.Z. 34-2007 Blue Ocean (Johnny Y Properties LLC). The motion was seconded by Commissioner Grissom.

Upon roll call, the vote was as follows:

Aye: Commissioner Grissom, Commissioner Schenberg, Commissioner Watson, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Chairman Hirsch

Nay: None

The motion passed by a vote of 7 to 0.

E. 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).

Ms. Mara Perry, Senior Planner, stated that the Public Hearing was held on August 13, 2007 at which time several issues were identified. The Staff Report includes a letter from the Petitioner addressing the issues, along with Staff responses to three of the issues.

Commissioner Geckeler made a motion to approve P.Z. 39-2007 Amato House (405 Griffith Lane). The motion was seconded by Commissioner Schenberg.

Upon roll call, the vote was as follows:

Aye: Commissioner Schenberg, Commissioner Watson, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner Grissom, Chairman Hirsch

Nay: None

The motion passed by a vote of 7 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS

A. Ordinance Review Committee

Chair Hirsch reported that the Director of Planning & Public Works has provided an update of the various items being prepared for the Ordinance Review Committee's consideration. A meeting will be scheduled in the near future.

XI. ADJOURNMENT

The meeting adjourned at 8:02 p.m.

_____

Gene Schenberg, Secretary