PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
October 11, 1999

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

I. PRESENT

Mr. David Banks
Mr. Fred Broemmer
Mr. Charles Eifler
Ms. Stephanie Macaluso
Mr. John Nations
Ms. Rachel Nolen
Ms. Victoria Sherman
Chairman Dan Layton, Jr.
Mayor Nancy Greenwood
Mr. Doug Beach, City Attorney
Councilmember Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Reveena Shook, Planner II
Mr. Todd Streiler, Planner II
Ms. Angela McCormick, Planner I
Ms. Annissa McCaskill, Planner I
Ms. Jennifer Samson, Planner I
Ms. Kathy Lone, Executive Secretary/Planning Assistant

ABSENT

Mr. Jerry Right

II. INVOCATION:

Chairman Layton asked for a moment of silence in honor of the late Councilmember Larry Grosser.

III. PLEDGE OF ALLEGIANCE: All

Chairman Layton recognized Mayor Nancy Greenwood, Councilmember Mary Brown and Michael O. Geisel, Director of Public Works.

Chairman Layton stated that the petitioner for P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company has asked that these petitions be held pending preparation of a rebuttal to the recommendation of denial by the Department of Planning.

IV. PUBLIC HEARINGS:

Commissioner Broemmer read the first portion of the "Opening Comments."

A. **P.Z. 22-1999 Valley Real Estate Investors L.L.C.**: A request for a change in zoning from "M-3" Planned Industrial District to "PI" Planned Industrial District for a 17.226 acre tract of land located on Chesterfield Airport Road, eighty (80) feet west of Boones Crossing. Proposed Uses:

- Animal hospitals, veterinary clinics and kennels;
- Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly
- Automatic vending facilities for:
  - (i) Ice and solid carbon dioxide (dry ice);
  - (ii) Beverages;
  - (iii) Confections.
- Broadcasting studios for radio and television;
- Business, professional, and technical training schools;
- Business service establishments;
- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- Churches shall be allowed on tracts of land of at least one acre in area;
- Financial institutions;
- Fishing tackle and bait shops. Open storage and display are prohibited;
- Filling stations, including emergency towing and repair services;
- Hotels and motels;
- Laundries and dry cleaning plans, not including personal and individual drop-off and pick-up service.
- Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
  - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
  - (ii) Placed underground; or
  - (iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

  All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.
- Mail order sale warehouses;
- Manufacturing, fabrication, assembly, processing or packaging of any commodity except:
  - (i) Facilities producing or processing explosives or flammable gases or liquids;

(ii) Facilities for animal slaughtering, meat packing or rendering;
(iii) Sulphur plants, rubber reclamation plants or cement plants; and
(iv) Steel mills, foundries or smelters.

- Medical and dental offices;
- Office or office buildings;
- Outpatient substance abuse treatment facilities;
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities;
- Police, fire and postal stations;
- Printing and duplicating services;
- Public utility facilities;
- Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theatres, including drive-in theaters;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, fast food;
- Restaurants, sit down;
- Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, argricultural equipment, and boats, as well as associated repairs and necasary outdoor storage of said vehicles;
- Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture;
- Sales yard operated for a charitable purpose by a church, school, or other not-for-profit organization;
- Schools for business, professional, or technical training requiring outdoor areas for driving or heavy equipment training;
- Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftperson, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on premises;
- Permitted signs (see Section 1003.168 'Sign Regulations');
- Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises;
- Union halls and hiring halls;
- Vehicle repair facilities;

- Vehicle service centers;
- Vehicle washing facilities;
- Warehousing, storage, or wholesaling of manufactured commodities, live animals, explosives or flammable gases and liquids;
- Welding, sheet metal and blacksmith shops;

other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

Planner I Angela McCormick read a statement from Assistant Director of Planning Laura Griggs-McElhanon stating that, due to an error in the advertising of this petition, a Public Hearing is again being held.

Commissioner Eifler suggested that since the Commission had already viewed the slides at the earlier Public Hearing, they would not need to be shown this evening.

1. Mr. Mike Doster, 16476 Chesterfield Airport Road, Ste. 200, Chesterfield, MO 63017, attorney for the petitioner for P.Z. 22-1999 Valley Real Estate Investors, L.L.C.;

- Speaker stated that Tom Roof, petitioner's architect, and he would available to answer questions.

COMMENTS/DISCUSSION

Chairman Layton stated that P.Z. 22-1999 Valley Real Estate Investors, L.L.C. does not need to go before the Architectural Review Board.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL - None

REBUTTAL: None

Commissioner Broemmer read the next portion of the "Opening Comments."

B. **P.Z. 33-1999 City of Chesterfield:** A proposal to amend Sections 1003.140 "PC" Planned Commercial District and 1003.150 "PI" Planned Industrial District of the City of Chesterfield Zoning Ordinance to allow public building facilities owned or leased by the City of Chesterfield as a permitted use.

Planner I Jennifer Samson gave an overview of this Chesterfield Zoning Ordinance Amendment.

COMMENTS/DISCUSSION

None

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL - None

REBUTTAL- None

Commissioner Broemmer read the next portion of the "Opening Comments."

C. **P.Z. 34-1999 City of Chesterfield**; a request for a change in zoning from "C-8" Planned Commercial to a "PC" Planned Commercial District for a 7.9 acre tract of land located at the intersection of Swingley Ridge Road and Chesterfield Parkway West. (Locator Number: 17S21-0072).
Proposed Use:
- Public building facilities owned or leased by the City of Chesterfield.

Planner I Angela McCormick gave a slide presentation of the subject site and surrounding area.

1. Mr. Art Bond, Bond & Wolfe Architects, Inc., 7800 Bonhomme Avenue, St. Louis, MO 63105, architect for the petitioner of P.Z. 34-1999 City of Chesterfield;

- Speaker stated that the building is located in the southern-part of the site to take advantage of the prominent views along Chesterfield Parkway West and Swingley Ridge Road;
- Speaker stated that there are 50-foot setbacks along Chesterfield Parkway West and Swingley Ridge Road;
- Speaker stated that the loop road that will access the site comes off Chesterfield Parkway West at the eastern-most portion edge of the site, connects at the apex to the north and proceeds onto Swingley Ridge Road on the western-most portion of the site;
- Speaker stated that the boulevard that is being developed is a two (2) lane boulevard, one (1) lane goes in each direction with a landscaped median;
- Speaker stated that pedestrian access to the site occurs at several points. There are walkways that circle the site and come into the middle of the site from the north in connecting nodes that actually come into the primary plaza at the apex of the building;
- Speaker stated that the site has 163 parking spaces on the surface with structured parking for 100 vehicles on two (2) levels. Delivery access is at the northeast wing of the building. Police and fleet vehicles will access through a lower level to the parking lot off Swingley Ridge Road;

- Water detention is provided along the northern and eastern portion of the site with several site amenity features scattered throughout;
- Speaker stated that there is both primary and secondary signage. Primary signage is located at the prominent southern corner, at the east and west corners into the site. Secondary signage is at both of the drive entry nodes coming from the north into the southern portion of the site;
- Speaker stated that site lighting is going to be established along both the access boulevard and throughout the site with secondary pedestrian signage located in a north/south fashion predominantly on the primary walkway coming into the plaza;
- Speaker stated that the paving pattern of the plaza has been developed such that it is a drive lane but it secondarily becomes used as a pedestrian plaza and can be closed off to vehicular traffic during special events. The building approach is being developed as a raised plaza portion with ramping along either wing of the building, flanking the steps in the middle;
- Speaker stated that the green space is 45% of the site coverage;
- Speaker stated that the floor area ratio on the site is 13.6%;
- Speaker stated that the approach to the deck parking from Swingley Ridge Road shows that access will be down into the lower level from Swingley Ridge Road. Parking on the upper deck will occur at grade level from within the site.

COMMENTS/DISCUSSION

Mr. Bond stated that it is anticipated that the building will sit close to the natural grade in the corner. The service court is intended to be depressed so that it is below the level of Chesterfield Parkway West and the berms are anticipated to stay. The reason for this is to screen the service court which is augmented by landscaping.

Mr. Bond stated that there will be some balance of the lower portion of the site in the northeastern area so that most of the cut that is developed will be balanced into a fill position on the northeastern section.

Mr. Bond stated that there will be an access through to the pedestrian avenue at several locations. The floor plan is not developed enough yet to know whether or not there will be a public entrance at the end of the building. The lower parking will be predominantly employee and fleet parking. Secured access will be through the lower portion of the building.

Mr. Bond stated that as much of the wooded area as possible will be retained. Most of the trees on the site run along the existing berms, both to the southeast and southwest.

SPEAKERS IN FAVOR -

1. Mr. Craig Conway, 15500 Olive Blvd., Chesterfield, MO 63017, speaking on behalf of the Chesterfield Arts Commission;

- Speaker stated that Ms. Stacey Morse, a consultant to the Chesterfield Arts Commission, is also available to answer questions;

- Speaker stated that a vision of the Chesterfield Arts Commission is to make Chesterfield a culturally-rich community in which to work, play and live;
- Speaker stated that the new City Hall offers many opportunities for the development of a unique and inspired place for the exhibition of art work, artistic elements, historic artifacts and sculpture in and around its new environment;
- Speaker stated that many communities have planned their City Hall environments to support these needs, including outdoor courtyards and plazas suitable for gatherings, festivals and various cultural events in which the entire community can share;
- Speaker stated that the Arts Commission would like to see Chesterfield city leaders share and support the vision to make the City of Chesterfield a culturally-rich community. The new City Hall could be the first building to reflect this philosophy by incorporating unique architecture, artistic design and the space to exhibit art, historic artifacts and sculpture.

Chairman Layton stated that P.Z. 34-1999 City of Chesterfield should go before the Architectural Review Board as soon as possible.

Director of Planning Teresa Price stated that City Council would be meeting October 20 for their final review and approval of the design. The Architectural Review Board will be meeting October 14. The Planning Commission will vote on this petition October 25. Director of Planning Price stated that the Commission needs to refer this petition to the Architectural Review Board for specific items.

Chairman Layton stated that he wants the Architectural Review Board to look at the overall concept and consider Mr. Conway's comment about the blending of artworks in the City Hall.

Commissioner Banks stated that he felt that it was premature having this go before the Architectural Review Board before the plan has the approval of the City Council.

Director of Planning Price stated that the Commission will see the detailed Site Development Plan, architectural elevations and material samples.

Commissioner Eifler stated that he did not see any harm with having the Architectural Review Board comment on the plans on October 14.

Mayor Nancy Greenwood stated that the architects have met with the Chesterfield Arts Commission and will meet with them again on October 20. Mayor Greenwood stated that Commission may want to wait until after this meeting before having this go before the Architectural Review Committee.

Chairman Layton stated that P.Z. 34-1999 City of Chesterfield will not go before the Architectural Review Board at this time.

City Attorney Doug Beach stated that the City Council will be acting as a public body to make the decision on the design. The meeting will be for the approval to move forward with a specific design which would return to the Planning Commission for their vote.

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL - None

REBUTTAL – None

Commissioner Broemmer read the next portion of the "Opening Comments."

D. **P.Z. 35-1999 City of Chesterfield**; a request for a change in zoning from "M-3" Planned Industrial District to a "PI" Planned Industrial District for a 14.3 acre tract of land located on the west side of Public Works Drive, approximately 80 feet south of Chesterfield Airport Road. (Locator Number: 17U21-0135). Proposed Use: public building facilities owned or leased by the City of Chesterfield.

Planner I Angela McCormick gave a slide presentation of the subject site and surrounding area.

COMMENTS/DISCUSSION -

Chairman Layton stated that P.Z. 35-1999 City of Chesterfield would not need to go before the Architectural Review Board.

Director of Planning Price clarified that the Public Works Facility is being rezoned to put it in the new category that is being developed for public buildings.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL - None

REBUTTAL: None

Commissioner Broemmer read the next portion of the "Opening Comments."

E. **P.Z. 36-1999 City of Chesterfield;** A proposal to amend Section 1003.140 "PC" Planned Commercial District of the City of Chesterfield Zoning Ordinance with regard to Performance Standards.

Planner I Annissa McCaskill gave an overview of this petition and summarized that the maximum density in the "PC" Planning Commercial District would be a minimum open space area of 45%, a front yard setback with the minimum of 50 feet and the building setback distance for any proposed building would increase with the height of the building (example: If a building is 60 feet tall from existing grade, the front would have to be 60 feet from the right-of-way. This petition also includes a maximum building height of 70 feet from the elevation of grade; however, the building height may not exceed the front yard setback. Minimum parking requirements would be 4 spaces per 1000 for all office developments in the "PC" District.

1. Mr. Barry Hogue, Parsons Harland Bartholomew & Associates, 400 Woods Mill Road, Town and Country, MO 63017, City's consultant for P.Z. 36-1999 City of Chesterfield;

- Speaker stated that his office was engaged to prepare office development standards for the City. Consideration was given to good, basic, planning practice and to other areas of authority; namely, The Institute of Traffic Engineering, American Planning Association and the Urban Land Institute;
- Speaker stated that some of the basic areas that were addressed are:
  1. Density - recommended a maximum floor area ratio of .65;
  2. Minimum open space requirement - 45% minimum open space;
     The 45% open space is any landscaped area that is not covered by a hard surface or by a building. Forty-five percent (45%) of the site is to be either landscaped area or areas that are not covered by a building, parking lot, etc.;
- Speaker stated that the recommended setback is a minimum of 50 feet. Any building setback has to be equal to or exceed the height of the building;
- Speaker stated that the maximum building height is 70 feet (but would need a minimum front setback of 70 feet);
- Speaker stated that the minimum parking requirements would be 4 spaces per 1,000 square feet.

COMMENTS/DISCUSSION

Chairman Layton stated green space would need to be addressed and clarified.

Mr. Hogue stated that green space could mean many things but it does not mean that the entire area could be paved and still be open. That is not the intent. Mr. Hogue stated that a definition would have to be written but it would say "the combination of green space or any non-paved or non-impervious surface."

Mr. Hogue stated that the figures were arrived at by using different conditions: existing developments, proposed developments, other communities along the Highway 40 and the I-270 corridors. Mr. Hogue stated that they have combined existing conditions, good planning practice and looked at what is pending.

Mr. Hogue stated that the maximum building height of 70 feet does not include HVAC equipment. It would be to the top of parapet wall but not include roof-top equipment.

Mr. Hogue stated that a building height of 70 feet would be for a 5-story building.

Commissioner Eifler asked Mr. Hogue if, in his professional expertise, does he believe that perhaps the type of street that an office development would be built on would have an influence on the acceptable performance standards?

Mr. Hogue stated that he does.

Commissioner Eifler asked Mr. Hogue if this should be a variable type thing depending on the street and not an overall standard for the entire City independent of the street it is built on.

Mr. Hogue stated that the standards that he is recommending would apply to the bulk of the office development sites within the City; however, most of what this is based upon was prime corridor-type development. There are areas within the core area of Chesterfield that could conceivably have other types of standards that might apply. There could be some on minor streets that could lend themselves to different standards but for most of the office development that Mr. Hogue looked at, it is on major arterials or the Highway 40 corridor.

Mr. Hogue stated that the boundaries for the Highway 40 corridor were: from the eastern edge of the City limits to the Valley and both sides of Highway 40.

Mr. Hogue stated the recommendations were exclusive of any consideration given to traffic impact.

Commissioner Eifler asked Mr. Hogue if his recommendations for every foot over 50 feet in height up to the maximum of 70 feet, the building must be moved back one (1) foot. Commissioner Eifler asked for the relationship between this and the City's sky exposure plain.

Mr. Hogue stated that it expands on the sky exposure plain. Mr. Hogue stated that he feels that this is more restrictive than the City's sky exposure plain.

Commissioner Eifler asked Staff to look at the comparison of this and the sky exposure plain for the Issues Meeting.

Commissioner Broemmer suggested that the maximum building height of 70 feet should include HVAC equipment and that the maximum overall height should not exceed 70 feet.

Chairman Layton expressed concern that there are some places where the standards should not be enforced and the Ordinance would state that there are not any exceptions.

Commissioner Broemmer stated that he does not want to approach the high-rise and wants to keep buildings as low as possible.

Commissioner Nolen stated that during a Comprehensive Plan Committee meeting, there was discussion concerning restricting the height of the building more on the Highway 40 corridor but allowing more flexibility in the Valley and trying to establish that as part of the Comprehensive Plan whereby possibly allowing 6-story buildings in the Valley yet restrict to 4-story buildings due to the traffic input and impact, pollution, etc.

Mayor Nancy Greenwood stated that the geology of the Valley will not support tall structures due to sand that is under the top soil. Mayor Greenwood stated that there also would be height limitations due to the airport.

Chairman Layton stated that he was referring to the density and the open space requirements, not height. Chairman Layton also expressed concern that if this was an ordinance, it is written in stone.

Commissioner Broemmer stated that he wants the wording to say, "That the maximum overall height of the building shall not exceed 70 feet." Commissioner Broemmer also stated that the density is .65 and the open space is 45% so those numbers would not change but would limit the height of the building to a maximum overall height of 70 feet.

Councilmember Brown stated that the Commission will want to spend some time to make sure that these are the standards that the Commission wants throughout the Planning Commercial District. Councilmember Brown stated that one area where the height of the building could be taller is in the Doubletree area.

Commissioner Sherman stated that a letter from Mr. Bob Boland drew a distinction between the building setback and the parking lot setback as possibly being different. Commissioner Sherman stated that the proposal before them did not talk about a parking lot setback.

Mr. Hogue stated that his only consideration was structures. Mr. Hogue stated that his initial recommendation was a 35-foot setback but this recommendation is 50 feet, which he does not have a problem with. Mr. Hogue stated that a sliding scale is a good idea. Mr. Hogue stated that on the parking requirement, one other approach may be to stick with the existing 3 1/3 spaces but require, by ordinance, that space be required to build to four-spaces if the demand was there as long as it would meet the storm water and other requirements. Mr. Hogue stated that you do not want to over build parking but feels that the 4/1000 is the best.

Commissioner Eifler stated that in Mr. Boland's letter, he questioned a 70-foot maximum building. Mr. Boland wrote that, "The 70 feet should be measured from the first floor of the roof and exclude mechanical equipment, stairtowers, elevator penthouses or special architectural features. Today's modern offices need a minimum of fourteen feet floor to floor to accommodate today's technologies. The limitation of 14 feet is a minimum. Most local and national building codes and ordinances recognize 75 feet as the more traditional height limitation for low-rise office structures."

Mr. Hogue stated that he does not think that this is completely inconsistent with what he said because he was talking about 70 feet from grade to the top of the building. Any additional mechanical equipment could be allowed. Mr. Hogue stated that he would allow the mechanical equipment over and above the 70 feet.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION –

1. Mr. M. Thomas Hall, 35 Arrowhead, Chesterfield, MO 63017, architect, speaking in opposition to P.Z. 36-1999 City of Chesterfield;

- Speaker stated that green space alone does not insure good architecture or good planning. All that it ensures is additional green space;
- Speaker stated that when the green space is increased to 45%, it almost guarantees mediocrity in architecture because if you can not get more density than .65 coverage, there is not any more money to spend on amenities in the building, fountains, public art, work, courtyards, etc.;
- Speaker stated that green space alone is not necessarily the best answer;
- Speaker stated that the Commission needs to find a way to encourage, promote and reward good planning and good architecture, not with guidelines that are so restrictive that as designers, they have nowhere to go;
- Speaker stated that the designs are dictated by market rent. Market rent equates into a cost per square foot of building. Part of the square foot cost per building is the ground. When the ground uses up all of the budget, you have no money left to create;
- Speaker stated that buildings he has done so far could not be done under the proposed standards. There would barely be enough money for the building and parking garage;
- Speaker stated that there are areas in the City where buildings taller than 70 feet are absolutely appropriate. There are also places in the City where buildings closer to the setback line are absolutely appropriate. There are also places in the City where this Ordinance should not work;
- Speaker stated that he feels that this is a restriction without accomplishment;
- Speaker stated that he does not know how he going to find money to do the kind of buildings that he has done within the constraints of the proposed ordinance amendment.

Chairman Layton asked Mr. Hall to contrast the cost factor involved in expanding horizontally versus expanding vertically for the same number of square feet.

Mr. Hall stated that beyond a certain size of a floor plate, it becomes inefficient because most major tenants are looking for a footprint in a particular size up to approximately 25,000 to 30,000 square feet. Mr. Hall stated that the density going up is more efficient. This is because you already bought a lot of the equipment (elevator shaft, fire suppression system, pumps, etc.) Going up allows you to increase the density more rapidly than expanding horizontally. If you were getting 25% coverage on a site, that means that for every dollar that is paid for a piece of ground, it costs $4.00 into the building. If there is 100% coverage, it now only costs you $1.00 per square foot. If that extra $3.00 can be spent on the building instead of only using it on lost site density, you can improve the building which is something everyone will see. Green space has a tendency to get lost because you notice it but it is only a lawn.

Chairman Layton asked Mr. Hall that if the Commission went with Commissioner Broemmer's 70 feet, including equipment, what size building would it be?

Mr. Hall stated that it would be closer to a 4-story building. A 5-story building would be tight with data systems, control wiring, etc. due to the increased air circulation that is required in buildings today because of sick building syndrome.

Mr. Hall stated that he agrees with Mr. Boland's letter requesting the height be closer to 75 feet so that there is more room for the building.

Commissioner Broemmer stated that it is not the Commission's goal to make the project the best dollar value. That is the goal of someone else. The goal of the Commission is to keep the open space and limit the density of the developments.

Mr. Hall stated that his sole concern is what does he have to design with. The more money from the budget that is spent on the grounds, there is less money that the designers have to create for an overall development. The result will be cheaper looking buildings. The more building that can be built, the more expensive materials can be used. It will help the visual beauty of the City.

Commissioner Broemmer stated that he is asking the architects to be creative.

Mr. Hall stated that he has tried to show what the consequences could be and the relationship between density and design. Mr. Hall stated that he tried to show the impact from an aethesthetic and not developer's point of view.

Mr. Hall stated that as increased density is allowed, a fee could be collected that goes into public art, community spaces within the building or expending more money on the building exterior. Mr. Hall stated that there are ways to encourage these kinds of outdoor spaces. Mr. Hall stated that the City has the potential to end up with some of the most beautiful buildings if this is encouraged.

Commissioner Macaluso asked Mr. Hall to consider from the residents point of view a tall building.

Mr. Hall stated that he would rather have an extremely well planned and executed office building than a badly executed residential subdivision with lots of green space in his back yard. Mr. Hall stated that he would object to the traffic.

2. Mr. John King, 165 N. Meramec, Clayton, MO 63105, attorney representing Sachs Properties, speaking neutral to P.Z. 36-1999 City of Chesterfield;

- Speaker stated that his client is concerned about the parking in the proposed Performance Standards. Speaker stated that his client's parking ratio run from 3.3/1000 to 3.6/1000 and they do not have any problems with parking;
- Speaker stated that when the proposed Performance Standards were reviewed, his client thought that the standards were only recommended for the Highway 40 corridor and now finds out that they are recommended for the Planned Commercial District;
- Speaker stated that the Urban Core of the Chesterfield Master Plan is defined as the Chesterfield Village area. The core should include mid-rise 10-story to high-rise 20-story structures. The core should accommodate office retail, high-density housing, government facilities, cultural, etc. Pedestrian access and circulation should be strongly encouraged within the core. The Chesterfield Master Plan (232) high-density office structures should be developed as part of the master plan for the core of the Chesterfield Village.
- Speaker stated that his client is concerned that if these Performance Standards are adopted under the Planned Commercial District, the core area of the City will result in a development that is much less and the Master Plan will basically be ineffective and not carried out by developers.

3. Mr. Tim Hall, 16401 Grand Basin Court, Wildwood, MO 63040, speaking in opposition to P.Z. 36-1999 City of Chesterfield;

- Speaker stated that Mr. Hogue's recommendation dealt specificially with the Highway 40 corridor and the site between Conway Road and Highway 40;
- Speaker stated that Mr. Hogue has not explored the rest of the Planning Commercial District or the impact that this recommendation would have on the development of those areas;
- Speaker stated that emergency vehicles would not be able to get certain vehicles around certain sites. With turning radius' required for emergency vehicles, it is not viable;
- Speaker recommends that the propsed ordinance amendment not be adopted for the entire Planned Commercial District in the City. It is not appropriate as a blanket amendment to the entire City.

4. Mr. Brett Hardesty, 12678 Lasiandra Drive, Chesterfield, MO 63005, developer speaking in opposition to P.Z. 36-1999 City of Chesterfield;

- Speaker stated that all sites in the City are different in regards to topography, geography, region, age of neighborhoods, etc.;
- Speaker stated that his project, Towne Centre, would not be able to be developed under this proposed ordinance amendment;
- Speaker stated that every petitioner deserves the right to be creative and adapt to the regional, geographical and site-specific situations;
- Speaker stated that to arbitrarily create an ordinance that changes every Planned Commercial District in the City is not warranted;
- Speaker suggested that a guideline of development standards is appropriate;
- Speaker suggested creating a sub-committee of members of the Staff, Planning Commission and members of the development community to discuss the various issues;
- Speaker stated that this proposed ordinance amendment will devalue existing properties in the City. Conditional law states the ability to use the ability to sell and market your own ownership and ground;
- Speaker stated that there could be forced parking structures to make the requirements work. To get density and mandate green space, parking limits the density.

City Attorney Doug Beach stated that the City has experienced the "take it or leave it approach" which puts the City in the position which leaves them very little ability to control some of the issues. Because some people not wanting to get into the give and take and maximize their economic potential, the law does not say that you are entitled to use the highest economic potential necessarily and I do think that the City has some abilities then to put some curtailment on it. I like your approach of sitting down and discussing to find some middle ground. City Attorney Beach stated that we are not in the position that we have to say that every piece of property has its highest and best economical use and that we have to have a specific density as chosen by the development community,

City Attorney Beach stated that if a project in the Valley could not be done under these standards, then perhaps more flexibility needs to be added to them. It is the beginning of a process that is being forced upon the City.

Mr. Hardesty stated that land planning is gray, not black and white. Each site is specific and has its own circumstances. Mr. Hardesty stated that the Architectural Review Board has improved the quality of architecture within the City.

5. Mr. Dean Burns, 71 Aberdeen Place, St. Louis, MO 63105, developer with THF Realty, speaking in opposition to P.Z. 36-1999 City of Chesterfield;

- Speaker stated that Mr. Hogue's intention is not to make the same standards apply everywhere in the City. Different types of development are occurring in different places in Chesterfield;

- Speaker stated that this ordinance amendment, as proposed, is for a suburban-style campus building setting, like along Highway 40;
- Speaker stated that he encourages the Commission to look deeper into the proposed ordinance change. There are wonderful examples of flexible-style ordinances that hit a number of categories in terms of types of commercial and office development. Speaker stated that he would be able to provide Staff with ordinances from around the country.

6. Mr. Mike Doster, 16476 Chesterfield Airport Road, Chesterfield, MO 63017, speaking in opposition to P.Z. 36-1999 City of Chesterfield;

- Speaker stated that there are a multiple of uses listed in the Planned Commercial Ordinance. Speaker stated that a question that comes to mind is, "When is a proposed use of a business development under the PC Ordinance?" Many of the new developments being submitted have many potential uses;
- Speaker suggested that flexibility is necessary. Perhaps placing the Performance Standards in this ordinance is not where it ought to go;
- Speaker stated that the place where this type of guideline or standard needs to go is the Comprehensive Plan. The Commission could indicate appropriate standards for the appropriate areas.

Chairman Layton stated that the Comprehensive Plan is a guideline and an ordinance is law.

Commissioner Eifler asked Mr. Doster if he saw any value to developers and designers for having some standards that will be consistent and not change due to changes in the Commission or Staff so that the development could plan accordingly?

Mr. Doster stated that he agreed that predictability is important to developers. Mr. Doster stated that if you wanted absolute predictability then there would be a standard that says, "in every situation this is what it is going to be." Mr. Doster stated that there is not real fairness in this. Mr. Doster stated there needs to be a standard that has objective criteria but some means of addressing individual cases in different areas of the City. Mr. Doster stated that the standards are appropriate in the corridor but not everywhere in the City.

7. Mr. John Holthaus, 14562 Burnley Court, Chesterfield, MO 63017, speaking in opposition to P.Z. 36-1999 City of Chesterfield;

- Speaker stated that to do this the Staff needs to be enlarged. The Department does a great job but is understaffed and underpaid.

Chairman Layton asked Planning Director Price the number of projects that Staff is reviewing.

Director of Planning Price stated that she would get the number of projects under review to Chairman Layton.

REBUTTAL:

Mr. Hogue stated that there are other perspectives that need to be thought about on some of the issues. Mr. Hogue stated there was a great deal of information in the report that was not discussed tonight. Mr. Hogue stated that the standards suggested were not arbitrary. They represented a balance of combination of dealing with existing development, dealing with development that is currently being proposed and dealing with trying to strike a balance between keeping the community character in balance with the real development opportunity that exists throughout the community. Mr. Hogue stated that the balance that he has attempted is reasonable and would be happy to discuss any of the specifics at a future date.

Director of Planning Price stated that it would be premature on sending this to the Architectural Review Board until the Commission has some direction.

Chairman Layton stated that this criteria was prepared for certain sections of the Highway 40 corridor. Is it correct to apply it to all Planning Commercial Districts in the future? If it is applied to the North Forty Outer corridor or all other PC's, then he would like comment on the appropriateness of all five (5) items.

Director of Planning Price stated that the proposals for the Regional Transportation Study are due to the Department Friday, October 15, 1999.

City Attorney Beach stated that Mr. Hogue's efforts did come out of the North Outer Forty issues and it was universally stated tonight that everyone felt that they fit that particular area but they need some work to expand into some particular areas. Sending this petition to the Ordinance Review Committee would allow that expansion and those who offered to help and provide additional information could all come together and track, to some extent, the question in regards to the traffic because traffic is a part of this and it was not talked a lot about tonight.

Commissioner Nations made a motion to refer P.Z. 36-1999 City of Chesterfield to the Ordinance Review Committee, have them discuss and receive any outside input, then report back to the Planning Commission. The motion was seconded by Commissioner Eifler **and passes by a voice vote of 8 to 0.**

Commissioner Macaluso stated that she wanted the letter from Mr. Boland made part of the public record.

Commissioner Broemmer read the closing portion of the "Opening Comments."

V. APPROVAL OF MEETING MINUTES

Commissioner Eifler made a motion to approve the Minutes as corrected. The motion was seconded by Commissioner Macaluso **and passes by a voice vote of 8 to 0.**

Chairman Layton called a recess at 9:40 p.m. and reconvened the meeting at 9:46 p.m.

Commissioner Eifler made a motion to move P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company on the agenda and address the petitioner's request to hold these petitions. The motion was seconded by Commissioner Banks **and passes by a voice vote of 8 to 0**.

A. **P.Z. 12-1999 International Exchange Company**; A request for a change of zoning from "NU" Non-Urban District to "R-2" Residence District for three parcels of land located at the intersection of State Highway 141 and Old Woods Mill Road. Parcel A contains 0.853 acres, Parcel B contains 0.221 acres, and Parcel C contains 0.904 acres. Total area to be rezoned is 1.978 acres.

Proposed use:

- Child Day Care Center.

And

B. **P.Z. 13-1999 International Exchange Company;** A request for a conditional use permit in the "R-2" Residence District for three parcels of land located at the intersection of State Highway 141 and Old Woods Mill Road. Parcel A contains 0.853 acres, Parcel B contains 0.221 acres, and Parcel C contains 0.904 acres. Total area to be rezoned is 1.978 acres.
Proposed use:
- Child Day Care Center.

Chairman Layton stated that the Commission had received a letter from the petitioner requesting to hold P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company until the next meeting. The petitioner stated that he is preparing a rebuttal to the Planning Department's recommendation.

Commissioner Nations made a motion to hold P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company until the next meeting. The motion was seconded by Commissioner Sherman **and passes by a voice vote of 8 to 0**.

VI. PUBLIC COMMENT:

1. Mr. Ed Griesedieck, 515 North Sixth Street, St. Louis, MO 63101, attorney for petitioner of P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker declined to speak.

2. Mr. James Mettes, 13757 Conway Road, Chestefield, MO 63141, speaking in opposition to of P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated that the Mission Statement for the City of Chesterfield says the City is committed to excellence by enhancing property values. Speaker stated that this petition would not do that.

3. Mr. Barry Chod, 134 Ladue Farm Road, Chesterfield, MO 63141, trustee for Ladue Farm Estates Subdivision, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker declined to speak.

4. Mr. Jack Lorenz, 14021 Woods Mill Cove Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker asked the Commission to preserve the character of the neighborhood.
- Speaker stated that he is against the present proposal. He is opposed to the Conditional Use Permit, not necessarily the rezoning.

5. Mr. Gerald A. Gayer, 14001 Woods Mill Cove Drive, Chesterfield, MO 63017, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker presented a written statement to the Commission for the record;
- Speaker stated that safety could be a problem;
- Speaker stated that the rezoning should not be completed without formally obtaining the opinion of the Police Department, Fire Department and the City Beautification Committee.

6. Mr. Mark Maley, Jr., 14228 Woods Mill Cove Drive, Chesterfield, Mo 63017, speaking in opposition to P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company;

- Speaker stated that the Comprehensive Plan calls for the conservation of existing quality of life in the community as well as the preservation of existing residential neighborhoods;
- Speaker stated that the rezoning request would not accomplish anything in the way of perpetuating the existing character of the neighborhoods.

7. Mr. Shawn Furlong, 14509 Debbenham Lane, Chesterfield, MO 63017, trustee for Chesterfield Hill Subdivision, speaking in opposition to P.Z. 18-1999 TriStar Business Communities;

- Speaker stated that residents of the Chesterfield Hill Subdivision are adamantly opposed to this commercial development adjacent to their homes;
- Speaker asked the Commission to vote against this development.

VII. NEW BUSINESS

A. **P.Z. 03-1999 Labels Direct**; a request for a change in zoning from "NU" Non-Urban District to "PI" Planned Industrial District for a 3.485 acre tract of land located on Eatherton Road. (Locator Number: 18W14-0011);
Proposed Uses:

- Business service establishment;
- mail order sale warehouses;
- manufacturing, fabrication, assembly, processing or packaging of any commodity
  except: *facilities producing or processing explosives or flammable gases or liquids, facilities for animal slaughtering, meat packing, or rendering, sulfur plants, rubber reclamation plants, or cement plants, and steel mills, foundries or smelters*;
- office or office buildings;
- printing and duplicating services; indoor sale of motor vehicles to be offered for
  sale or hire to the general public on the premises;
- warehousing, storage or wholesaling of manufactured commodities.

Chairman Layton stated that the petitioner for P.Z. 03-1999 Labels Direct has asked that this petition be withdrawn without prejudice. Chairman Layton stated that this means that the petitioner would have the right to resubmit this proposal at anytime.

Commissioner Eifler stated that the petitioner's request appears very appropriate since the Valley Plan has not been completed for that area.

Commissioner Eifler made a motion for P.Z. 03-1999 Labels Direct to be withdrawn without prejudice. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 8 to 0**.

D. **P.Z. 29-1999 Greater Midwest Builders**; a request for a change in zoning from "NU" Non-Urban to an "R6A" Residence District for a 2.88 acre tract of land located on the north side of Clayton Road, east of Baxter and west of Straub (locator number 21R441696).
Proposed Use:
- Single Family Attached.

And

E. **P.Z. 30-1999 Greater Midwest Builders**; a request for a Planned Environment Unit
(PEU) Procedure in the "R6A" Residence District for a 2.88 acre tract of land located on the north side of Clayton Road, east of Baxter and west of Straub (locator number 21R441696).
Proposed Use:
- Single Family Attached.

Planner I Jennifer Samson gave an overview of the issues for this petition.

Commissioner Sherman stated that she would like the off-site tree preservation concerning the trees close to the property lines addressed. Commissioner Sherman stated that MoDOT talked about moving the entrance due to the heavy volume of traffic on Route HH (Clayton Road). Commissioner Sherman would like it addressed as to whether or not this means moving the entrance or adding an entrance. Commissioner Sherman asked Staff to look at the buffer on Claymoor Drive.

P.Z 29-1999 Greater Midwest Builders and P.Z. 30-1999 Greater Midwest Builders will he held until the next Planning Commission meeting.

F. **P.Z. 31-1999 Taylor Morley, Inc.** : A request for a change in zoning from "NU" Non-Urban District to an "E-2" One (1) Acre Residence District for a 22.5 acre tract of land located on the south side of Wildhorse Creek Road, east of Steeple Road and West of Wildhorse Parkway.
Proposed Use:
- Single family.

Planner I Jennifer Samson gave an overview of this petition and stated that Staff recommends approval of the rezoning.

Councilmember Brown expressed concern with the report from Sterling on the design of the cul-de-sac and cannot provide bus service.

Planner I Samson stated that the Department of Planning and Department of Public Works have expressed concern with this and that it will be addressed when the site plan is submitted.

Commissioner Broemmer made a motion to approve P.Z. 31-1999 Taylor Morley, Inc. The motion was seconded by Commissioner Eifler.

Chairman Layton stated that the Commission received a letter from a nearby resident who wrote that he had not been contacted. Chairman Layton stated that the petitioner had been strongly urged to contact nearby residents.

A motion was made by Chairman Layton to suspend the rules to allow Mr. Mark Morley to speak. The motion was seconded and passed.

Mr. Mark Morley stated that a letter was sent out to the residents addressing the rezoning. The letter asked the residents to contact Taylor-Morley if they had any questions. Mr. Morley was not sure of the exact date that the letter was mailed.

Mr. Morley stated that he would get a copy of the letter to the Department of Planning before the Planning & Zoning Committee meeting.

Director of Planning Price clarified that this will be submitted as a Preliminary Plat and then a Record Plat. Director of Planning Price stated that if the Commission has concerns, they would be addressed at that time.

Director of Planning Price stated that the concern with the width of the cul-de-sac for school buses would be discussed as one of the standards for development for the subdivision regulations and the fire district.

Commissioner Sherman asked when was the proper time was to address having a meandering street.

Director of Planning Price stated that the developer is aware of this concern and that by the time a Record Plat is submitted, a considerable amount of improvements will have been made to the plans.

Mr. Morley stated that some previous suggestions have already been addressed such as lining up the entrance with Gateway Academy. Mr. Morley stated that, with the configuration of the land, meandering streets would take away from one side of the street and add to the other. Some of the lots would become less dense for this type of rezoning so the option was putting in two (2) planting islands (10 feet by 50 foot) to break up the pattern and make the area softer.

Commissioner Nolen expressed concern that moving vans could not get around the cul-de-sac because of the width. Commissioner Nolen stated that if the cul-de-sac were wide enough for moving vans, they would accommodate school buses.

The motion was repeated: Commissioner Broemmer made a motion to approve P.Z. 31-1999 Taylor Morley, Inc. The motion was seconded by Commissioner Eifler.

Upon a roll call vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Eifler, yes; Commissioner Macaluso, yes; Commissioner Nations, yes; Commissioner Nolen, yes; Commissioner Sherman, Chairman Layton, yes.

The motion passes by a vote of 8 to 0.

G. **P.Z. 33-1999 City of Chesterfield:** A proposal to amend Sections 1003.140 "PC" Planned Commercial District and 1003.150 "PI" Planned Industrial District of the City of Chesterfield Zoning Ordinance to allow public building facilities owned or leased by the City of Chesterfield as a permitted use.

Planner I Jennifer Samson gave an overview of the Zoning Ordinance Amendment and stated that there were no agency comments.

The Planning Commission did not have any additional issues.

This petition will be held until the next Planning Commission meeting.

H. **P.Z. 34-1999 City of Chesterfield**; a request for a change in zoning from "C-8" Planned Commercial to a "PC" Planned Commercial District for a 7.9 acre tract of land located at the intersection of Swingley Ridge Road and Chesterfield Parkway West. (Locator Number: 17S21-0072). Proposed Use: public building facilities owned or leased by the City of Chesterfield.

Director of Planning Teresa Price gave an overview of this petition and asked the Commission if they had any concerns that they would like addressed.

Commissioner Eifler stated that he has a concern with expediting the process for the City's zoning and buildings. Commissioner Eifler stated that expediting should not only be limited to only City buildings. Commissioner Eifler asked if there were some criteria that we are addressing that require expediting, define the criteria and lay them out so that the developers will also know the process for expediting their request and are granted the same opportunity as the City.

Chairman Layton expressed the same concern but noted that he remembers only two to three instances where both the Public Hearing and Issues Meeting were held together. Chairman Layton stated that there usually has been a need for speed and there was no public opposition. Chairman Layton stated that if there had been public comments on these petitions, the Issues Meeting portion would not have been held.

The petition will be held until the next Planning Commission Meeting.

Chairman Layton asked Director of Planning Price to address whether or not an E-2 zoning is possible for P.Z. 12-1999 International Exchange Company and P.Z. 13-1999 International Exchange Company or if that would cause problems.

Director of Planning Price stated that a memo concerning this would be given to the Commission at the next meeting.

I. **P.Z. 35-1999 City of Chesterfield**; a request for a change in zoning from "M-3" Planned Industrial District to a "PI" Planned Industrial District for a 14.3 acre tract of land located on the west side of Public Works Drive, approximately 80 feet south of Chesterfield Airport Road. (Locator Number: 17U21-0135). Proposed Use: public building facilities owned or leased by the City of Chesterfield.

Director of Planning Teresa Price stated that this petition is a rezoning of the public works facility into the new use district for the public and facilities owned or leased by the City of Chesterfield.

The Commission did not have any issues for this petition.

This petition will be held until the next Planning Commission Meeting.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS: None

A. **Alexo Building No. 4**; Amended Site Development Plan, Landscape Plan and Elevations, in the "M-3" Planned Industrial District; on the north side of Edison Avenue, and the west side of North Bell Avenue. The purpose of the Amended Site Development Plan is to construct a fourth airplane hanger and office facility.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan, Landscape Plan and Elevations for Alexo Building No. 4, contingent on the Boundary Adjustment Plat approval. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 8 to 0.**

B. **Chesterfield Commons Outlot #2: Red Robin Restaurant;** Site Development Section Plan, Architectural Elevations, and Landscape Plan for Outlot #2 of Chesterfield Commons, a 1.37 acre site within the C-8 "Planned Commercial" Zoning District located south of Chesterfield Airport Road, east of RHL Drive (P.Z. 24-97).

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations and Landscape Plan for Chesterfield Commons Outlot #2: Red Robin Restaurant with the following conditions:

- Provided the driveway is negotiated as approved between the petitioner and the Department of Public Works;
- That there be landscaping around the electrical boxes.

The motion was seconded Chairman Layton **and passes by a voice vote of 8 to 0.**

C. **Chesterfield Commons Outlot #14: Longhorn Restaurant;** Site Development Section Plan, Architectural Elevations, and Landscape Plan for Outlot #14 of Chesterfield Commons, a 1.93 acre site within the C-8 "Planned Commercial" Zoning District located south of Chesterfield Airport Road, west of THF Blvd. (P.Z. 24-97).

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations and Landscape Plan for Chesterfield Commons Outlot #14: Longhorn Restaurant with the following condition:

- That there be landscaping around the electrical boxes.

The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 8 to 0.**

IX. COMMITTEE REPORTS:

A. Ordinance Review Committee –

B.

Director of Planning Teresa Price will schedule a meeting of this Committee to discuss P.Z. 36-1999 City of Chesterfield.

C. Architectural Review Committee – No report

D. Site Plan/Landscape Committee – No report

E. Comprehensive Plan Committee

A Committee meeting is being scheduled to discuss certain elements of the Comprehensive Plan.

F. Procedures and Planning Committee – No report

X. ADJOURNMENT

A motion to adjourn was made by Chairman Layton and seconded by Commissioner Nations. The motion **passes by a voice vote of 8 to 0.**

The meeting adjourned at 10:35 P.M.

Charles Eifler, Secretary