PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
OCTOBER 11, 2010

The meeting was called to order at 7:04 p.m.

I. ROLL CALL

PRESENT	ABSENT
Mr. David Banks	
Mr. Bruce DeGroot	
Ms. Wendy Geckeler	
Ms. Amy Nolan	
Mr. Stanley Proctor	
Mr. Robert Puyear	
Mr. Michael Watson	
Chairman G. Elliot Grissom	

Mayor John Nations
Councilmember Matt Segal, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Mara Perry, Senior Planner
Mr. Shawn Seymour, Senior Planner
Mr. Kristian Corbin, Project Planner
Mr. Justin Wyse, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

IV. RECOGNITION OF FORMER PLANNING COMMISSIONER MAURICE L. HIRSCH, JR.

Chair Grissom acknowledged former Planning Commissioner Bud Hirsch, who has served on the Commission since 2003 and as Chairman from 2006-2010.

Ms. Aimee Nassif, Planning & Development Services Director presented Mr. Hirsch with a plaque recognizing his service to the City and thanked him for all his support and work over the years.

Mayor John Nations stated it has been his pleasure to know and work with Mr. Hirsch during his tenure on the Planning Commission. He noted that serving on the

Commission is the most demanding volunteer position in the City requiring a great amount of time and dedication. He is proud that he had the privilege to nominate Mr. Hirsch as a Planning Commissioner and it gave him great pride watching him serve as Chairman. On behalf of City Council and all the people of this community, he thanked Mr. Hirsch for his "devotion to the people" and noted that "the City is better off because of his devotion and that our lives have been enriched because of his commitment to the people of Chesterfield."

Councilmember Connie Fults, Ward IV, thanked Mr. Hirsch stating that he has served through many changes with the Staff, the Commission, the Ordinances and developments. She very much appreciates his service and noted the positive effect he has had on the community.

Mayor Nations then acknowledged and welcomed Bruce DeGroot to the Planning Commission, who has been a great volunteer for the City.

Chair Grissom also acknowledged the attendance of Mayor John Nations; Councilmember Matt Segal, Council Liaison; Councilmember Connie Fults, Ward IV; and Councilmember Bob Nation, Ward IV.

V. PUBLIC HEARINGS – Commissioner Geckeler read the "Opening Comments" for the Public Hearings.

A. P.Z.07-2010 16624 Old Chesterfield Road (Gene Mainini): A request for a change of zoning from "M2" Industrial District to "UC" Urban Core District and a Landmark Preservation Area (LPA) Procedure for a .226 acre tract of land located on the south side of Old Chesterfield Road, at its intersection with Santa Maria Drive (17V310083).

STAFF PRESENTATION:

Project Planner Kristian Corbin gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Corbin stated the following:

- The Petitioner is requesting the following:
  - To change the zoning to the Urban Core District allowing for more office space to attract future tenants.
  - To receive a Landmark Preservation Area designation for the subject site.
- All State and local Public Hearing requirements have been met.
- The subject site is located off of Old Chesterfield Road in the Burkhardt subdivision.
- The existing building on the site was constructed in 1950.
- Mainini Tile first began operations in 1971.
- The subject site was zoned "M-2" Industrial District prior to the incorporation of the City of Chesterfield.

- The requested Landmark and Preservation Area for the site is an overlay district that preserves the historic characteristics of the site. Incentives are offered in an effort to protect the historical significance of the site, structure, or neighborhood.
- The Burkhardt subdivision has been established since the early 1900s. A series of row houses in the southern portion of the subdivision were constructed between 1918-1925.
- Portions of the Burkardt subdivision are registered on the National Register of Historic Places. In addition, five parcels of the subject subdivision already have a Landmarks Preservation Area designation
- The Urban Core District is a zoning district that provides a method for commercial or mixed commercial and residential development within the area known as the Urban Core. This district provides flexibility in applying certain zoning standards.
- The Comprehensive Land Use Plan designates the subject site as *Urban Core*, which is a conceptual land use category. The specified location is the area surrounding Highway 40 and the Olive/Clarkson exit. This area will contain high density residential, retail and office uses and will act as a physical and visual focus of the City of Chesterfield.
- The requested zoning to Urban Core District fits in with the Urban Core Comprehensive Land Use Plan designation.
- Requested Uses:
    1) Art Gallery
    2) Art Studio
    3) Barber Shop or Beauty Shop
    4) Commercial Service Facility
    5) Dry Cleaning Business
    6) Office, General
    7) Reading Room
    8) Research Facility
    9) Plumbing, Electrical, Air Conditioning & Heating Equipment Sales, Warehousing
    10) Warehouse, General
- The project is currently under review by Planning and Engineering Staff.

Commissioner Banks asked if the *dry cleaning* use includes a chemical plant or only a drop-off establishment. Ms. Nassif replied that this use pertains to a business where clothing is dropped off for cleaning. Mr. Wyse, Project Planner clarified that there is a separate use that pertains to *dry cleaning plant* but this is not a requested use for this site.

PETITIONER'S PRESENTATION:
Mr. Michael Mueller, Cornerstone Land Survey and Civil Engineering and representing the Petitioner, 2705 Dougherty Ferry Road, Ste, 100, St. Louis, MO stated the following:

- They are requesting a Landmarks Preservation Area for the site in accordance with other lots on the Burkhardt Plat, along with a rezoning to Urban Core.
- The lot is .226 acre and there are no planned physical changes to the site.

Mayor Nations noted that the Mainini family has been on the site since the 1970s and commended Mr. and Mrs. Mainini as business owners who have been active in the community since that time.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

B. P.Z. 08-2010 17531 Wild Horse Creek Road (Larry Mintz): A request for a change of zoning from "PC" Planned Commercial District to an "E-1" Estate One-Acre District for a 1.47 acre tract of land located at 17531 Wild Horse Creek Road (18V610106).

STAFF PRESENTATION:
Project Planner Kristian Corbin gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Corbin stated the following:

- The Petitioner is requesting the change of zoning to allow for the existing structure to be used for a residence.
- The "E-1" One Acre Estate District is a "Straight Zoning District". All zoning standards will be taken from the City Code without exceptions, variances or modifications. There is no Preliminary Plan or Attachment A under a straight zoning.
- All State and local public hearing requirements have been met.
- The subject site is located on the north side of Wild Horse Creek Road and was zoned "NU" Non-Urban District prior to the incorporation of the City of Chesterfield. The existing structure on the site was constructed in 1961.
- In October of 2006, the subject site was rezoned from "NU" Non-Urban District to "PC" Planned Commercial District via Ordinance 2303.
- The subject site is located in the Wild Horse Creek Road sub-area.
- The Comprehensive Land Use Plan designates the subject site as *Neighborhood Office.* Appropriate uses for *Neighborhood Office* include dental and medical offices which do not have surgical operations, along with general offices.

- The project is currently under review by Planning and Engineering Staff for the following:
    - Consistency with the Comprehensive Plan.
    - Consistency with the surrounding land uses.

PETITIONER'S PRESENTATION:
Mr. Larry Mintz, 200 Wild Horse Ranch Lane, Chesterfield, MO stated the following:

- He petitioned to zone the site in 2006 from Residential to Planned Commercial anticipating that the site could be used for a small office. These plans have not come to fruition.
- Since that time, he has had inquiries about using the site as a residential property and currently has a contract on the house subject to the site being rezoned.

Commissioner Nolan asked if the existing home would be torn down if the rezoning is granted. Mr. Mintz replied that the existing home would remain and would be used as a residence.

City Attorney Rob Heggie asked Mr. Mintz how he would describe the character of the neighborhood. Mr. Mintz replied that the neighborhood is residential noting that businesses operating out of homes have not worked in the subject area. He had been marketing the property as an office-type use for a number of years but had been unsuccessful in finding a user for the office use.

SPEAKERS IN FAVOR:
Mr. Bob Meyer 17673 Wild Horse Creek Road, Chesterfield, MO stated that he has lived at this address for over twelve years and is in favor of the rezoning.

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL:

1. Mr. D. R. Bowers, 323 Lake View Drive, Washington, MO stated that he is sorry to see Mayor Nations leaving and wished him well in his future endeavors. He also complimented Mr. Corbin for his presentation and noted his helpfulness over the phone. Mr. Bowers then stated the following:
    - He owns 3.5 acres adjacent to the subject site and was the original owner of the subject property.
    - He noted that several years ago when a proposal was in to build offices under the existing *Office Campus* designation, there was a lot of opposition from the neighboring subdivisions. This resulted in a six-month moratorium on development in this area, which delayed the sale of his home for one year.
    - The area was then designated *Neighborhood Office* at which time Speaker sold the subject property to Mr. Mintz and supported his application for a commercial office.

- Even though the office use did not work out for Mr. Mintz, Speaker noted that the site is still subject to Airport noise. He hopes the buyer under contract is aware of the Airport noise
- After the real estate market comes back, Speaker noted that it is his intent to put in some sort of installation that would be compatible with *Neighborhood Office* on his property, which is adjacent to the subject site.

Mayor Nations thanked Mr. Bowers for his comments and acknowledged Mr. Bowers' past commitment to the City through his volunteer work on a number of Committees during the early years of the City.

City Attorney Heggie asked Mr. Bowers if he has been marketing his property as *Neighborhood Office* since he sold a portion of his property to Mr. Mintz. Mr. Bowers stated that he has and had some interest in the past – but there are no prospects for the immediate future.

2. Mr. Scott Gray, buyer under contract of the subject site, 304 Pine Bend Drive, Wildwood, MO stated the following:
   - His initial intention of purchasing the property is to lease it as a residence to a family member who is relocating out of state.
   - He is a builder/general contractor and liked the site as a potential knock-down and rebuild of a custom home and asked whether there this is an issue or concern to the Commission.
   - After listening to Mr. Bowers' comments, he is curious about the plans for the surrounding sites.

Ms. Nassif stated that the request tonight is to change the land use category and the zoning map amendment back to residential. Any future plans for additions or a tear-down and rebuild would have to meet all the requirements in the City code with respect to setback, building height, etc.

City Attorney Heggie stated that the City has tried to make the process of rebuilding or upgrading properties as attainable as possible.

Commissioner Banks pointed out to the Speaker that his intention of constructing a custom home on the subject site would be done in an area that is currently designated as *Neighborhood Office.* Ms. Nassif suggested that Mr. Gray meet with Mr. Corbin to review what the Comprehensive Plan calls for in this area, along with any future plans that Staff is aware of for this area.

City Attorney Heggie clarified that in terms of development of this area, there has been some controversy over the past few years. A number of people have favored a residential-type use, along with proponents of a less-dense neighborhood office concept.

Commissioner Geckeler read the Closing Comments for the Public Hearings.

VI. APPROVAL OF MEETING MINUTES

Commissioner Watson made a motion to approve the minutes of the September 27, 2010 Planning Commission Meeting. The motion was seconded by Commissioner Nolan and **passed by a voice vote of 8 to 0.**

VII. PUBLIC COMMENT - None

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. Chesterfield Airport Commerce Park: A Site Development Concept Plan, Conceptual Landscape Plan, Conceptual Lighting Plan and Tree Stand Delineation for 10.546 acres of land zoned "PI" Planned Industrial District which consists of three tracts located at 17970 Chesterfield Airport Road, 609 Cepi Drive and 17975 Edison Avenue.

Commissioner Proctor, representing the Site Plan Committee, made a motion recommending approval of the Site Development Concept Plan, Conceptual Landscape Plan, Conceptual Lighting Plan and Tree Stand Delineation for Chesterfield Airport Commerce Park. The motion was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0**.

IX. OLD BUSINESS

A. P.Z. 08-2010 17531 Wild Horse Creek Road (Larry Mintz): A request for a change of zoning from "PC" Planned Commercial District to an "E-1" Estate One-Acre District for a 1.47 acre tract of land located at 17531 Wild Horse Creek Road (18V610106).

Project Planner Kristian Corbin stated that the Petitioner is requesting the change of zoning to allow the existing structure to be used as a residence. The project is currently under review by the Planning and Engineering Staff.

ISSUES:
1. Consistency with the Comprehensive Plan.
2. Consistency with the surrounding land uses.

Commissioner Geckeler asked whether the Airport would be considered an issue. Mr. Corbin indicated that the Neighborhood Office area was established because it was determined that the Airport noise in this area was considered too loud for residential development. Ms. Nassif added that the bowtie study included a noise analysis of the Airport. Any new homeowner in this area is provided with a copy of the Airport Noise

Study. Staff will be providing a further analysis in the Vote Report, which will include the Noise Study that was discussed in 2006.

X. NEW BUSINESS

A. 2011 Planning Commission Proposed Meeting Dates

Chair Grissom stated that the proposed meeting dates for 2011 will be reviewed by Staff to potentially reduce the number of meetings for next year.

B. Mayor John Nations

It was noted that this is the last Planning Commission meeting that Mayor Nations would be attending as Mayor. On behalf of the Commission, Chair Grissom thanked the Mayor for all his support and wished him the best in his new position.

Mayor Nations thanked everyone for their kind remarks and stated that he has enjoyed working with the Commission.

C. Bruce DeGroot

Chair Grissom then welcomed Bruce DeGroot to the Planning Commission noting that he is looking forward to working with him.

XI. COMMITTEE REPORTS - None

XII. ADJOURNMENT

The meeting adjourned at 7:48 p.m.

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Michael Watson, Secretary