PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
OCTOBER 26, 2009

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

I. ROLL CALL

PRESENT	ABSENT
Mr. David Banks	
Ms. Wendy Geckeler	
Mr. G. Elliot Grissom	
Ms. Amy Nolan	
Ms. Lu Perantoni	
Mr. Stanley Proctor	
Mr. Robert Puyear	
Mr. Michael Watson	
Chairman Maurice L. Hirsch, Jr.	

Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Mr. Mike Geisel, Director of Planning & Public Works
Ms. Annissa McCaskill-Clay, Lead Senior Planner
Ms. Mara Perry, Senior Planner
Ms. Susan Mueller, Principal Engineer
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Councilmember Connie Fults, Council Liaison and City Administrator Mike Herring.

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

A. <u>P.Z. 13-2009 Spirit Town Center (Greenberg Development):</u> A request for an amendment to City of Chesterfield Ordinance 2330 to modify the Floor Area and Building Requirements and Setbacks for a 7.8 acre parcel of land zoned "PC" Planned Commercial District located on Chesterfield Airport Road on the southwest corner of its intersection with Goddard Avenue. (17V230055)

STAFF PRESENTATION:

<u>Ms. Mara Perry,</u> Senior Planner, stated the following:

- The Public Hearing notification was posted per State and City requirements.
- The site is an existing "PC" District and is surrounded by "PI" and "M-3" zoning. The site has frontage on Chesterfield Airport Road.
- Nothing has been developed on the site at this time and the primary buildings surrounding it are industrial in nature.
- The site was zoned "M3" Planned Industrial District prior to the incorporation of the City of Chesterfield.
- It was rezoned in January 2007 to "PC" Planned Commercial District via Ordinance 2330. At that time, Ordinances were being written very tightly to reflect what was shown on the Preliminary Plan.

Following are the changes being requested to the Attachment A - (changes shown in **bold):**

D. <u>FLOOR AREA, HEIGHT, BUILDING REQUIREMENTS</u>

<u>Ms. Perry</u> stated that the Petitioner is requesting that the "Floor Area" requirement be removed. Staff feels that the "Floor Area" requirement is no longer necessary inasmuch as the Petitioner must meet the open space requirement, setbacks and must be able to park the site based on use. The following language to the Attachment A would be amended as follows:

1. FLOOR AREA

~~Total building floor area shall not exceed 51,930 square-feet for the overall development with the following restrictions:~~

~~(a) There shall be no more than three (3) lots adjacent to Chesterfield Airport Road. Buildings on said lots shall comprise no more than 15,490 square-feet;~~

~~(b) There shall be no more than two (2) lots south of the interior connector road, adjacent to Eads Avenue. Buildings on said lots shall comprise no more than 36,440 square-feet.~~

3. BUILDING REQUIREMENTS

(b) Floor Area Ratio: F.A.R. is the gross floor area of all buildings on a lot divided by the total lot area. This square footage does not include any structured or surface parking. Planning Commission may request two (2) calculations: one (1) calculation for those areas above grade and another that includes building area below grade.

This development shall have an overall Floor Area Ratio (F.A.R.) of ~~fifteen percent (15%)~~ **thirty-five percent (35%).** ~~The maximum Floor Area Ratio (F.A.R.) for an individual lot shall not exceed twenty-one percent (21%).~~

Ms. Perry noted that the new "PC" District currently allows a Floor Area Ratio of 55%.

E. SETBACKS

1. STRUCTURE SETBACKS

No building or structure, other than a freestanding project identification sign, ~~boundary and retaining walls~~, light standards, **or** flag poles ~~or fences~~ will be located within the following setbacks:

(a) ~~Thirty-five (35)~~ **Thirty (30)** feet from the right-of-way of Chesterfield Airport Road on the northern boundary of the "PC" Planned Commercial District.

(b) Thirty (30) feet from the eastern boundary of the "PC" Planned Commercial District.

(c) ~~Fifty-five (55)~~ **Ten (10)** feet from the western boundary of the "PC" Planned Commercial District.

(d) Twenty (20) feet from the southern boundary of the "PC" Planned Commercial District.

Ms. Perry added that Staff would update the language in the "*Setback*" section to reflect the current format.

Chair Hirsch asked how the *Structure Setbacks* compare to the underlying district. Ms. Perry replied that the "PC" District does not have requirements for structure setbacks– the setbacks must be established in the Ordinance.

Commissioner Perantoni expressed concern about the setback reduction on Chesterfield Airport Road with respect to the setbacks of adjacent sites on Chesterfield Airport Road. It was noted that Staff will determine the setbacks.

2. PARKING SETBACKS

Ms. Perry stated that the existing ordinance is written with a separate set of parking setbacks and loading setbacks that match each other. Ordinances are currently written with parking and loading in one set of setbacks. The Attachment A would be amended as follows with the section on *"Loading Setbacks"* being completely removed.

No parking stall, **loading space,** internal driveway, or roadway, except points of ingress and egress, will be located within the following setbacks:

(a) Twenty (20) feet from the right-of-way of Chesterfield Airport Road on the northern boundary of the "PC" Planned Commercial District.
(b) Fifteen (15) feet from the eastern boundary of the "PC" Planned Commercial District.
(c) Ten (10) feet from the western boundary of the "PC" Planned Commercial District.
(d) ~~Twenty-five (25)~~ **Twenty (20)** feet from the southern boundary of the "PC" Planned Commercial District.

- The Comprehensive Land Use Plan shows the subject site as part of Spirit Airport.

Commissioner Geckeler asked how the requested changes will affect the trees on the site. Ms. Perry replied that during the Concept Plan stage, the Petitioner was approved for special conditions. Three trees that were to be saved per Ordinance 2330 are not being saved. After review of these trees, the City Arborist determined that they were hazardous so no trees will be saved on the site.

PETITIONER'S PRESENTATION:

1. Mr. Bill Remis of Doster, Ullon representing the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO stated that the original Preliminary Plan was put together for a very specific concept and development. Since 2007, market conditions have changed. At this time, the Petitioner is not prepared to go forward with something so specific and is looking for some flexibility through amendments to the existing ordinance as outlined by Ms. Perry.

2. Mr. George M. Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
   - The original Preliminary Plan shows three lots immediately adjacent to Chesterfield Airport Road and two lots to the south. These lots were depicted to be a gas station/convenience store, a restaurant, a bank, and a large, general retail multi-tenant building. At the time, the Preliminary

Plan followed protocol as to what a Preliminary Plan was to include. As a result, the ordinance was written specifically around this Plan with respect to the number of lots, buildings, and square footage. The ordinance also addressed points of access, road improvements, and utilities.

- For the past 2-1/2 years, the Petitioner has tried to move forward with development on the property but some things have changed in the market. They are not requesting a change to the uses but are trying to allow flexibility on the site with respect to the number of buildings, etc.
- The proposed Preliminary Plan is much more general although the key components of the Plan are shown, such as:
    - A signalized intersection at Goddard and Chesterfield Airport Road;
    - No access to Chesterfield Airport Road;
    - One primary entrance located off Goddard;
    - An internal street that will provide cross-access to the properties to the north and south;
    - Cross-access to the PortaFab site to the west;
    - Points of ingress and egress that are tied into Eads.
- They intend to provide 30% open space; raise the F.A.R. to .35; and create an envelope of reasonable setbacks off Chesterfield Airport Road, off Goddard, and off the west and south property lines that would allow them to move forward to market and develop the property.

Commissioner Nolan asked if there will be a curb cut for PortaFab so that they can use the cross access. Mr. Stock stated that their obligation is to grant a cross access easement through their property. It is hoped that PortaFab will also grant a cross access easement on their drive.

3. Mr. Bob Greenberg, Greenberg Development, 11906 Manchester Road, Des Peres, MO stated that because of competition in the area from Spirit of St. Louis Corporate Center, they are requesting changes to their ordinance to allow for more flexibility.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

1. Check the adjacent setbacks for the subdivisions on either side of the subject site.
2. Insure that the Attachment A is in accordance with the current Attachment A's with respect to development conditions.

Commissioner Grissom read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Perantoni made a motion to approve the minutes of the September 30, 2009 Planning Commission Meeting. The motion was seconded by Commissioner Nolan and **passed by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. 508 Redondo Drive (Claymont Estates Subdivision): A request for a detached residential addition behind an existing home on the west side of the lot zoned "R1" Residential District, located at 508 Redondo Drive in the Claymont Estates Subdivision.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Residential Addition for 508 Redondo Drive (Claymont Estates Subdivision). The motion was seconded by Commissioner Banks and **passed by a voice vote of 9 to 0**.

B. 1215 Walnut Hill Farm Drive: A request for a detached residential addition northwest of an existing home zoned "NU" Non-Urban District and located at 1215 Walnut Hill Farm Dr., in the Walnut Hill Farms Subdivision.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Residential Addition for 1215 Walnut Hill Farm Drive. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 9 to 0**.

C. Chesterfield Valley Medical Building II: An Amended Site Development Plan, Partial Amended Landscape Plan and request for a free-standing sign for a medical, dental, and professional office building zoned "PC" Planned Commercial District located north of I-64/Highway 40-61, west of Boone's Crossing, and south of North Outer Forty Road.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Plan, Partial Amended Landscape Plan, and request for a free-standing sign for Chesterfield Valley Medical Building II. The motion was seconded by Commissioner Proctor.

Discussion on the Motion

Ms. McCaskill-Clay recommended that the motion be amended to clarify that the sign dimensions are restricted to the following dimensions, as outlined in the Staff Report:

- Height of Sign 16 feet, 4 inches tall
- Height of Sign Base 9 feet tall
- Sign Face 65.04 square feet

Commissioners Grissom and Proctor accepted such an amendment to the motion.

Ms. McCaskill-Clay added that the Staff Report states "*Staff has reviewed the submittal and has found it to be in compliance with all applicable City of Chesterfield ordinances."* For the record, she clarified that *compliance* refers to the submittal requirements necessary in order to bring it forward to Planning Commission – it does not necessarily imply that the requested dimensions conform to the Zoning Ordinance.

The motion to approve, as amended, failed by a voice vote of 4 to 5 with Commissioners Banks, Geckeler, Nolan, Perantoni and Watson voting "no".

VIII. OLD BUSINESS - None

IX. NEW BUSINESS

Commissioner Banks referred to the work done in the Comprehensive Plan Committee regarding the .55 F.A.R. development standard in the new "PC" Ordinance. He asked if there is a lot of re-developable commercial property in the City that will want to increase the number of square footage, the number of cars, etc. Ms. Perry replied that developers will still have to meet the open space, which was increased in the new "PC", and parking requirements.

Mr. Mike Geisel, Director of Planning & Public Works, stated that there are a lot of existing ordinances and redevelopments where this will occur because for a long period of time, the ordinances were written very site-specific.

Chair Hirsch stated that this can be added to the agenda of the next Ordinance Review Committee.

X. COMMITTEE REPORTS

Chair Hirsch announced that the October 28th Ordinance Review Committee meeting has been canceled and will be re-scheduled.

XI. ADJOURNMENT

The meeting adjourned at 7:30 p.m.

_____

Michael Watson, Secretary