CORRECTED

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
November 22, 1999

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

I. PRESENT **ABSENT**

Mr. David Banks
Mr. Fred Broemmer
Mr. Charles Eifler
Ms. Stephanie Macaluso
Mr. John Nations
Ms. Rachel Nolen
Mr. Jerry Right
Ms. Victoria Sherman
Chairman Dan Layton, Jr.
Mr. Doug Beach, City Attorney
Councilmember Jane Durrell, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Mr. Todd Streiler, Planner II
Ms. Angela McCormick, Planner I
Ms. Jennifer Samson, Planner I
Ms. Kathy Lone, Executive Secretary/Planning Assistant

II. INVOCATION: Commissioner Nolen

III. PLEDGE OF ALLEGIANCE: All

Chairman Layton recognized the attendance of Councilmember Jane Durrell (Ward I) serving as Council Liaison.

Chairman Layton asked for a motion to change the order of the agenda to discuss a request just received from the petitioner for P.Z. 18-1999 TriStar Business Communities. The request is to hold their petition this evening.

Commissioner Eifler made a motion to move out of order P.Z. 18-1999 TriStar Business Communities to discuss their request. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

Assistant Director of Planning Laura Griggs-McElhanon gave an overview of this petition.

Chairman Layton stated that the petitioner's letter stated that his interpretation of the Comprehensive Plan is substantially different than that of the Department of Planning and that there is a new issue with the acceleration of school buses.

Commissioner Eifler made a motion to honor the developer's request and hold P.Z. 18-1999 TriStar Business Communities. The motion was seconded by Commissioner Right.

Commissioner Banks stated that in regards to the two (2) primary reasons stated for holding the petition, the school bus issue was negated when the petitioner moved his access to the far east end of the property. Commissioner Banks stated that he does not feel that any discussion or study will change the Staff's view on the Comprehensive Plan.

Commissioner Nolen stated that she brought up the school bus issue at an earlier meeting so this is not a new issue.

Upon a roll call vote was as follows: Commissioner Banks, no; Commissioner Broemmer, no; Commissioner Eifler, yes; Commissioner Macaluso, no; Commissioner Nations, yes; Commissioner Nolen, no; Commissioner Right, yes; Commissioner Sherman, no; Chairman Layton, no.

The motion fails by a vote of 3 to 6.

IV. PUBLIC HEARINGS:

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

A. **P.Z. 38–1999 Busch-Strutman, L.L.C.**: A request for a change in zoning from "NU" Non-Urban District to "PC" Planned Commercial District for a 0.6 acre tract of land located on Chesterfield Airport Road, 150 feet east of the Baxter Road Extension. Locator Number: 17T22-0872 and part of 17T22-0047.
Proposed Uses:
- Office or office buildings;
- Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, 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 the premises;
- Other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

And

B. **P.Z. 39-1999 Busch-Strutman, L.L.C.**: A request for a Landmark and Preservation Area (LPA) Procedure in the "PC" Planned Commercial District for the same 0.6 acre tract of land located on Chesterfield Airport Road, 150 feet east of the Baxter Road Extension. Locator Number: 17T22-0872 and part of 17T22-0047.

C. **P.Z. 40-1999 T. K. Properties, L.L.C.**: A request for a change in zoning from "NU" Non-Urban District to "PC" Planned Commercial District for a 0.75 acre tract of land located on Chesterfield Airport Road, 200 feet east of the Baxter Road Extension. Locator Number: part of 17T22-0047.
Proposed Uses:

- Office or office buildings;
- Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, 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 the premises;
- Other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

And

D. **P.Z. 41-1999 T. K. Properties, L.L.C.**: A request for a Landmark and Preservation Area (LPA) Procedure in the "PC" Planned Commercial District for the same 0.75 acre tract of land located on Chesterfield Airport Road, 150 feet east of the Baxter Road Extension. Locator Number: part of 17T22-0047.

Assistant Director of Planning Laura Griggs-McElhanon gave a slide presentation of the subject site and surrounding area. Assistant Director of Planning Griggs-McElhanon explained that P.Z. 38-1999 Busch-Strutman, L.L.C., P.Z. 39-1999 Busch-Strutman, L.L.C., P.Z. 40-1999 T.K. Properties and P.Z. 41-1999 T.K. Properties, L.L.C. were being brought forward together since the properties are next to each other.

1. Ms. Lauren Strutman, 16120 Walnut Hill Farm, Chesterfield, MO 63005, petitioner for P.Z. 38-1999 Busch-Strutman, L.L.C. and P.Z. 39-1999 Busch-Strutman, L.L.C. and also representing P.Z. 40-1999 T.K. Properties and P.Z. 41-1999 T.K. Properties, L.L.C., gave a slide presentation and stated the following:

- Properties have 2 brick bungalow houses and 3 brick barns;
- Properties are next to property previously rezoned and given the Landmark Preservation Area

designation;

- Property is currently under contract for purchase;
- Buildings are to be used as offices;
- Same consultant who prepared the Farmers Bank National Register Nomination has been hired to assist with the nomination of this property;
- All of the buildings will be totally restored;
- Petitioners are working with the State Historic Preservation architects to complete a restoration project as nice as the Farmers Bank Building;
- "Service Facilities" category has been added to the proposed zoning use because of a commitment from the Chesterfield Arts Commission to use the large barn building as an art gallery on the main level and as an executive director's office on the second floor;
- There will be a common shared driveway between the two properties;
- Green space will be preserved around the front and sides of the buildings and these areas will be landscaped;
- Petitioners have met with Mr. Mike Geisel, Director of Public Works, Chesterfield Fire Protection District and the County Department of Highway and Traffic, to get approval for the use of narrower driveways for these lots;
- Petitioners are meeting with the Department of Public Works to select an appropriate style of street lighting.

SPEAKERS IN FAVOR –

2. Mr. Mike Schmidt, 1929 Cedarmill Drive, Chesterfield, MO 63017, Chairman of the Chesterfield Historical Commission, speaking in favor of P.Z. 38-1999 Busch-Strutman, L.L.C., P.Z. 39-1999 Busch-Strutman, L.L.C., P.Z. 40-1999 T.K. Properties and P.Z. 41-1999 T.K. Properties, L.L.C.,

- Speaker asked the Planning Commission to show favorable consideration for the project and to show as much leniency and consideration for making the projects doable.

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL - None

REBUTTAL - None

Commissioner Right read the middle portion of the "Opening Comments."

E. **P.Z. 42-1999 G.H.H. Investments, L.L.C.**: A request for a change in zoning from "M-3" Planned Industrial District to "PC" Planned Commercial District for a 2.296 acre tract of land located at on Long Road, 1,000 feet south of Chesterfield Airport Road.

Proposed Uses:

- Animal hospitals, veterinary clinics, and kennels;
- Associated work and storage areas required by a business, firm, or service to carry on business operations;
- 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;
- Barber shops and beauty parlors;
- Bookstores;
- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- Colleges and universities;
- Dry cleaning drop-off and pick-up stations;
- Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.
- Film drop-off and pick-up stations;
- Fishing tackle and bait shops. Open storage and display are prohibited;
- Financial institutions;
- Hospitals;
- Medical and dental offices;
- Offices 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;
- Police, fire, and postal stations;
- 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 theaters, including drive-in theaters;
- Restaurants, fast food;
- Restaurants, sit down;
- Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles;
- Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training;

- Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, 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 the 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;
- Terminals for trucks, buses, railroads, and watercraft;
- Vehicle repair facilities for automobiles;
- Vehicle service centers for automobiles;
- Vehicle washing facilities for automobiles;
- or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

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

The petitioner presented a color elevation hand-out to the Commission.

1. Mr. Mike Doster, 16476 Chesterfield Airport Road, Chesterfield, MO 63017, attorney for petitioner for P.Z. 42-1999 G.H.H. Investments, L.L.C. stated that:

- G.H.H. is the developer;
- Engineer will be Volz Engineering;
- No architect has been selected as yet;
- Development will be located at the northwest corner of Edison Avenue and Long Road intersection;
- Developer will be constructing Edison Avenue through the property and will be improving the intersection at Edison Avenue and Long Road;
- Development will be the 'front door' to the Towne Centre development;
- Referred to as the 'burn tower' property;
- The Fire Protection District has wanted to relocate its burn tower and training facility. Petitioner purchasing this property will allow that;
- Property is 2.296 acres with 263 feet of frontage on Long Road, 324 feet of frontage on Edison Avenue;
- Only access would be off Edison Avenue;
- Same uses are requested as for the Towne Centre rezoning;
- Developer will accept same limitations as were imposed on Towne Centre;
- Petitioner would like this treated as an outlot of Towne Centre;

- Building is approximately 19,000 square feet for retail use;
- 105 parking spaces are required and 108 spaces will be provided;
- There is a storm water ditch running along the west side of the property which feeds into the storm water drainage pond that is at the rear of the Towne Centre development;
- Developer is required to build the Edison Avenue Extension which was required pursuant to the ordinance that approved Towne Centre and Chesterfield Business Park;
- Development will be architecturally compatible with Towne Centre.

2. Mr. Brett Hardesty, 232 Chesterfield Industrial Blvd., Chesterfield, MO 63005, petitioner for P.Z. 42-1999 G.H.H. Investments, L.L.C.;

- Speaker stated that there has been preliminary discussion with the Chesterfield Fire Protection for possibly sharing an entrance on Long Road. The discussion is very preliminary;
- Speaker stated that Towne Center, Chesterfield Business Park and Tower Centre would all be separate developments. The developments are related but are not attached.

3. Mr. Mike Hejna, 2458 Old Dorsett Road, Suite 110, St. Louis, MO 63043, petitioner for P.Z. 42-1999 G.H.H. Investments, L.L.C.;

- Speaker stated that the Architectural Review Board has reviewed Chesterfield Business Park which will blend with Towne Centre. Tower Centre is the 'front door' to both of these developments and will be similar in architecture.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL - None

REBUTTAL - None

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

Chairman Layton stated that P.Z. 38-1999 Busch-Strutman, L.L.C., P.Z. 39-1999 Busch-Strutman, L.L.C., P.Z. 40-1999 T.K. Properties. L.L.C., P.Z. 41-1999 T.K. Properties, L.L.C. and P.Z. 42-1999 G.H.H. Investments, L.L.C. will not be forwarded to the Architectural Review Board.

Chairman Layton recognized the attendance of Mayor Nancy Greenwood.

V. APPROVAL OF MEETING MINUTES

A motion to approve the October 25, 1999 Meeting Minutes was made by Commissioner Broemmer and seconded by Commissioner Macaluso. The motion to approve the Minutes **passes by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT:

1. Mr. Daniel S. Peters, Herzog, Crebs & McGhee, One City Centre, 515 North Sixth Street, St. Louis, MO 63101, speaking for Mr. Ed Griesedieck, attorney for petitioner for P.Z. 13-1999 International Exchange Company;

- Speaker stated that they believe that a true evaluation of the elements of the Conditional Use Permit has been met by the project. Speaker stated that they take issue with the Staff report because they believe that the basic supposition of the report is erroneous;
- The supposition states that the daycare center would substantially alter the character of and, in return, be a detriment to the existing residential neighborhood because it does not reinforce existing land use pattern;
- Speaker stated that the report takes issue with Mr. Griesedieck's statement that he erroneously stated that the institutional issues to the east, west and south are uses that have been allowed by the City. The point is not who approved these institutional uses but that the daycare is surrounded by institutional uses;
- Speaker stated that this center will not be a detriment to St. Luke's Hospital, Brooking Park or the Centre at Conway;
- Speaker stated that the only insinuation of a detriment to a residential neighborhood is perhaps some type of traffic problem with the neighborhood off Woods Mill Road. Speaker stated that these residents would be customers of the daycare center. Speaker stated that the only possible traffic congestion might possibly be at 141 and Woods Mill. A traffic study presented stated that it would only be a minor increase in traffic at that intersection due to the daycare center;
- Speaker stated that the center would be visibly compatible. It is below any nearby residents and the residents would not see the center;
- Speaker stated that the petitioner submitted a complete landscape and buffer proposal and the developer would agree to anything the City wants him to do
- Speaker stated that there is not any valid reason in the report for denial of this proposal.

2. Ms. Lou Ann Nolan, 14584 Whittington Court, Chesterfield, MO 63017, speaking in opposition to P.Z. 18-99 TriStar Business Communities;

- Speaker declined to speak.

3. Ms. Angie Geis, 14584 Whittington Court, Chesterfield, MO 63017, speaking in opposition to P.Z. 18-1999 TriStar Business Communities;

- Speaker declined to speak.

4. 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 the design plan for the project is flawed in many ways;
- Speaker stated that the added traffic would be a hazard to the public safety;
- Speaker asked the Commission to abide by the Comprehensive Plan;
- Speaker asked the Commission to vote for denial of this project.

5. Ms. Lynne Strasser, 14615 Adgers Wharf Drive, Chesterfield, MO, speaking in opposition to P.Z. 18-1999 TriStar Business Communities;

- Speaker thanked the Commission for not delaying vote on this project;
- Speaker stated that there are problems with the buffer and traffic;
- Speaker stated that with more traffic due to office occupancy on the North Outer Road, there is much more traffic on the South Outer Forty Road.

6. Ms. Denise Koessel, 1530 Candish Lane, Chesterfield, MO 63017, speaking in opposition to P.Z. 18-1999 TriStar Business Communities;

- Speaker declined to speak.

7. Mr. Larry Chapman, 13397 Lakefront Drive, Earth City, MO 63045, petitioner speaking in favor of P.Z. 18-1999 TriStar Business Communities;

- Speaker stated that all issues had been addressed except the issue of interpretation of the Comprehensive Plan;
- Speaker stated that it is his belief that any type of residential development on this property will result in a much more severe devastation of the site than what could be done with an office building. The office building could be hidden with the terrain to preserve 50% of the existing trees;
- Speaker stated that if the Commission votes against this, the next proposed project could be a high density multi-family project;
- Speaker stated that the response to the traffic report submitted is the same response as the petitioner's that a traffic problem would not be created. Steps were taken to remove any weave concerns and, having a weave lane or a right turn acceleration lane out of Chesterfield Hill Subdivision that would go all of the way to the next entrance location creating 800 feet to make a weave, would be more than sufficient for school buses which would be traveling down hill;
- Speaker stated that the buffer goes from 65 feet to 135 feet. A buffer of 120 feet could be reconfigured.

VII. NEW BUSINESS

Commissioner Sherman made a motion to change the order of the agenda to allow P.Z. 18-1999 TriStar Business Communities to be heard first. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

D. **P.Z. 18-1999 TriStar Business Communities;** A request for a change in zoning from "NU" Non-Urban District to "PC" Planned Commercial District for an 8.715 acre tract of land located on South Outer Forty Drive, 500 feet east of Yarmouth Point Drive and west of Woods Mill Road.
Proposed use:

- Offices or office buildings or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

Assistant Director of Planning Laura Griggs-McElhanon gave an overview of P.Z. 18-1999 TriStar Business Communities and stated that Staff recommends denial.

Assistant Director of Planning Griggs-McElhanon stated that Staff uses the Comprehensive Plan as a guide when considering development. The Comprehensive Plan discusses the ability of property to be developed and how best to develop the property. Assistant Director of Planning Griggs-McElhanon stated that a book by F. Stuart Chapan, Jr., Urban Land Use Planning, supports the fact that the Comprehensive Plan is a guide, to be used as a guide and shows what the community is looking at in regards to development.

Assistant Director of Planning Griggs-McElhanon stated that Staff is of the opinion that some type of residential would be appropriate at this location. The petitioner presented a plan at the Public Hearing which showed attached single-family dwellings and an R-5 density. This density was not recommended by Staff. The majority of attached single-family dwellings in the City are R-3.

Assistant Director of Planning Griggs-McElhanan stated that the State agrees with the relocation of the entrance which will take care of some of the weaving concerns; however, the issue on how to best address Woods Mills Road and South Outer 40 Road is not addressed either with a traffic signal or a traffic circle. With the reconfiguration, all of the eastbound traffic will be forced to go through that intersection which could increase the traffic.

Assistant Director of Planning Griggs-McElhanon stated that she contacted the Parkway School District concerning the school bus acceleration rate but there is not a way to measure this except to say that they are "slow." The Parkway School District official stated that school buses next year would be diesel which will make them even slower than the present gasoline buses.

Assistant Director of Planning Griggs-McElhanon stated that it is of the opinion of the Department that the proposed development is not in keeping with Comprehensive Land Use Plan and does not adequately address the significant potential impacts on the adjacent residential uses. For these reasons, the Department recommends denial of P.Z. 18-1999 TriStar Business Communities.

Councilmember Mike Casey (Ward III) replaced Councilmember Jane Durrell (Ward I) as Council Liaison at 8:21 p.m.

Chairman Layton asked Assistant Planner Griggs-McElhanon that, if the access were moved, would Staff have the same recommendation of denial.

Assistant Director of Planning Griggs-McElhanon stated that the Comprehensive Plan still says the same thing. Assistant Director of Planning Griggs-McElhanon stated that the relocation of the road is in the City of Town and Country.

Commissioner Banks stated that at a previous presentation by Ms. Pat O'Brien, a former Planning Commission member, this property was also intended to be residential. Commission Banks stated that, in a previous discussion regarding progression of development, going from single-family residential to office is not the normal step.

Commission Nolen made a motion to deny P.Z. 18-1999 TriStar Business Communities. The motion was seconded by Commissioner Broemmer.

Commissioner Sherman stated that it was a very difficult decision to make. Commissioner Sherman stated that both sides have presented strong positions but are in conflict with each other. Commissioner Sherman stated that the petitioner tried to do an excellent job of addressing the issues but the decision comes down to interpretation of the Comprehensive Plan and what is appropriate.

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

The motion to deny passes by a vote of 9 to 0.

Chairman Layton called a recess at 8:31 p.m. and reconvened the meeting at 8:45 p.m.

A. **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 Woodsmill 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.

Assistant Director of Planning Laura Griggs-McElhanon stated that the Commission previously approved the rezoning request for P.Z. 12-1999 International Exchange Company and voted for denial of the Conditional Use Permit for P.Z. 13-1999 International Exchange Company. At the direction of City Attorney Doug Beach, the Commission directed Staff to prepare a memorandum outlining the issues that surrounded the Conditional Use Permit and that resulted in the recommendation of denial. Assistant Director of Planning Griggs-McElhanon stated that the Commission has before them a memorandum, dated November 8, 1999, from the Commission to the City Council. Assistant Director of Planning Griggs-McElhanon asked the Commission if they had any revisions to the memorandum.

Commissioner Right stated that he does not agree with the memorandum. Commissioner Right stated that he voted for approval of P.Z. 13-1999 International Exchange Company. He does not see this area as residential.

Assistant Director of Planning Griggs-McElhanon stated that the results of the vote would be presented to the City Council. The memorandum would be from those who voted to deny P.Z. 13-1999 International Exchange Company and their justification for voting against the Conditional Use Permit.

Commissioner Eifler stated that his concern for the project was the proximity of the excavation to the residential property immediately to the south (Flaig's property). Commissioner Eifler stated that there was a gentle slope from the property to the south to the property to the house on the subject property. It would be cut off relatively close to the house and he stated that no matter how it was buffered, it was going to have a negative impact on the resident's quality of life and property value. This is why he voted for denial and would like this stated in the memorandum.

Commissioner Banks stated that he agreed but also expressed concern for what would happen to the property when the Conditional Use Permit was gone. The property would be changed so dramatically that it could never be residential. It could only be another Conditional Use Permit or commercial.

Commissioner Sherman stated that the reason she voted to deny the petition was due to the visual impact. Commissioner Sherman stated that the curb cut was along Old Woods Mill which will tie it into the other residents. The visual impact of the other daycare is not on Old Woods Mill where there is a residential flavor. Since the south end of it is pretty far up above 141, it ties into that area.

Commissioner Nations made a motion to accept the reasons as stated and amended for those who denied P.Z. 13-1999 International Exchange Company. *The motion was seconded by Commissioner Macaluso* ***and passes by a voice vote of 8 to 0.*** *(Commissioner Right did not vote.)*

B. **P.Z. 27-1999 White Road Tract - Ambassador Development**; a request for a change in zoning from "NU" Non-Urban to an "R3" 10,000 square foot Residence District for a 3.29 acre tract of land located at the intersection of Olive Boulevard and White Road, 500 feet south of Ladue Road. (Locator Number: 17R14-0093).
Proposed Use:
Single Family and Single Family Attached.

AND

C. **P.Z. 28-1999 White Road Tract - Ambassador Development**; a request for a Planned Environment Unit (PEU) Procedure in the "R3" 10,000 square foot Residence District for a 3.29 acre tract of land located at the intersection of Olive Boulevard and White Road, 500 feet south of Ladue Road. (Locator Number: 17R14-0093).
Proposed Use:
Single Family and Single Family Attached.

Planner I Angela McCormick gave an overview of P.Z. 27-1999 White Road Tract - Ambassador Development and P.Z. 28-1999 White Road Tract - Ambassador Development. Planner I McCormick stated that the petitioner has given Staff a revised plan addressing the specific issues of buffering and the height of the dwellings in the development after discussions with neighboring residents. Planner I McCormick stated that Attachment A discusses the building of single-story dwellings for lots 5, 6, 7, 8, and 9. Planner I McCormick stated that she has not received a response from the neighboring residents concerning the above lots but that some residents had received copies of the Staff report. Planner I McCormick stated that there is a 15-foot rear yard setback for decks so there will be a 30-foot building line.

Chairman Layton stated that there is a berm on the project immediately across White Road and expressed hope that the petitioner would continue this on the Site Development Plan to keep continuity.

Commissioner Broemmer made a motion to approve the rezoning of P.Z. 27-1999 White Road Tract - Ambassador Development from "NU" Non-Urban to R-3. The motion was seconded by Commissioner Banks.

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

The motion passes by a vote of 9 to 0.

Commissioner Broemmer made a motion to approve the request for a Planned Environment Unit (PEU) Procedure for P.Z. 28-1999 White Road – Ambassador Development subject to the conditions in Attachment A. The motion was seconded by Commissioner Sherman.

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

The motion passes by a vote of 9 to 0.

E. **P.Z. 42-1999 G.H.H. Investments, L.L.C.**: A request for a change in zoning from "M-3" Planned Industrial District to "PC" Planned Commercial District for a 2.296 acre tract of land located at on Long Road, 1,000 feet south of Chesterfield Airport Road. Proposed Uses:

- Animal hospitals, veterinary clinics, and kennels;
- Associated work and storage areas required by a business, firm, or service to carry on business operations;
- 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;
- Barber shops and beauty parlors;
- Bookstores;
- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- Colleges and universities;
- Dry cleaning drop-off and pick-up stations;
- Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.
- Film drop-off and pick-up stations;
- Fishing tackle and bait shops. Open storage and display are prohibited;
- Financial institutions;
- Hospitals;
- Medical and dental offices;
- Offices 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;
- Police, fire, and postal stations;
- 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 theaters, including drive-in theaters;
- Restaurants, fast food;
- Restaurants, sit down;
- Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles;
- Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training;
- Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, 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 the 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;
- Terminals for trucks, buses, railroads, and watercraft;
- Vehicle repair facilities for automobiles;
- Vehicle service centers for automobiles;
- Vehicle washing facilities for automobiles;
- or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

Planner I Angela McCormick asked the Commission whether they had specific issues for Staff to consider. Planner I McCormick stated that a condition in Attachment A would be Fire District concerns.

Commissioner Sherman stated that she would like the pedestrian walkways to the other developments addressed.

Chairman Layton stated that P.Z. 42-1999 G.H.H. Investments, L.L.C. would be held until the December 13, 1999 Planning Commission Meeting.

F. **P.Z. 15-98 Arthur R. McRoberts and Mary McRoberts (Hart Auto Body, Inc.)**: A request for an extension of time for a "PC" Planned Commercial District Site Development Plan; located on the north side of Chesterfield Airport Road, west of Long Road.

Planner I Angela McCormick stated that the petitioner has requested a two-year extension concerning the P.Z. 15-98 Arthur R. McRoberts and Mary McRoberts (Hart Auto Body, Inc.) "PC" Planned Commercial District Site Development Plan from November 30, 1999 up to and including November 30, 2001. Planner I McCormick stated that, had the petitioner remained on the timetable, they would have had to resubmit a plan by November 1, 1999. The petitioner stated that the extension is due to market conditions and family considerations. Planner I McCormick stated that Staff recommends approval of the time extension.

Chairman Layton stated that he is concerned about the 18-month time extension which expired November 1, 1999 and the petitioner is asking for a two-year extension to expire November 1, 2001. Chairman Layton asked why, if the approval is 18 months, should the Commission go any farther on the extension.

Assistant Director of Planning Laura Griggs-McElhanon stated that it was a prior policy of the Planning Commission to grant two-year extensions. Assistant Director Griggs-McElhanon stated that standard wording in the Attachment A says that the time length to file for Site Plan approval is 18 months.

Commissioner Eifler stated that there is a conflict between the letter from the petitioner's attorney, Mr. Michael Doster, and Staff. Mr. Doster's letter asks for two years from November 30th and Staff stated that the plan was due November 1.

Commissioner Banks stated the Commission should look a little more closely at the extension requests from County zoning that are several years old.

City Attorney Beach stated that the motion should state a specific date and Staff would make the correction concerning the date inconsistency.

Commissioner Nations made a motion to approve the time extension for P.Z. 15-98 Arthur R. Hart and Mary McRoberts (Hart Auto Body, Inc.) to November 1, 2001. The motion was seconded by Commissioner Right.

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

The motion passes by a vote of 9 to 0.

G. **Approval of 2000 Planning Commission Meeting Schedule.**

Commissioner Nations made a motion to approve the Planning Commission Meeting Schedule for the year 2000. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 9 to 0.**

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

A. **Picardy Plat 3:** A Record Plat for a 6.410 acre portion of a Planned Environment Unit Procedure (PEU) in the "R-3" Residence District; located at the northeast corner of the intersection of Clarkson Road and Kehrs Mill Road (Governing Ordinance Number 1217).

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for Picardy Plat 3. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 9 to 0.**

B. **Towne Centre**- A Record Plat for an 18.6 acre tract of land in a "PC" Planned Commercial District located south of Chesterfield Airport Road on the south side of Edison Extension, and west side of Long Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for Towne Centre. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 9 to 0.**

C. **Wehrenberg Theatres/The Galaxy:** Amended Site Development Plan, Architectural Elevations and Landscape Plan for 19.619 acres in the "C-8" Planned Commercial District, governed by St. Louis County Ordinance Number 13, 933; located on the north side of Chesterfield Airport Road, west of the McBride property.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Plan, Architectural Elevations and Landscape Plan for Wehrenberg Theatres/The Galaxy. The motion was seconded by Commissioner Right **and passes by a voice vote of 8-0-1.** (Commissioner Nations abstained from voting and also abstained from voting in the Site Plan Subcommittee Meeting.)

D. **Chesterfield Commons - Linens N Things and Retail Shops**; Site Development Section Plan, Architectural Elevations, Landscape Plan, and Architect's Statement of Design Compliance for a portion of the Chesterfield Commons within the "C-8" Planned Commercial District, governed by City of Chesterfield Ordinance Number 1344; located on the south side of Chesterfield Airport Road, between Wal-Mart and Lowes.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations, Landscape Plan and Architect's Statement of Design Compliance for Chesterfield Commons – Linens N Things and Retail Shops. The motion was seconded by Commissioner Banks **and passes by a voice vote of 9 to 0.**

E. **The Landings at Spirit** - Architectural Elevations and Landscape Plan for the "M-3" Planned Industrial District; located east of Eatherton Road, south of the Spirit of St. Louis Airport runway.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Architectural Elevations and Landscape Plan for The Landings at Spirit. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 9 to 0.**

F. **Granger Contracting - Lot 22 of Spirit Trade Center Plat Two**; Site Development Section Plan, Architectural Elevations, Landscape Plan for 2.785 acres in the "M-3" Planned Industrial District, governed by City of Chesterfield Ordinance Number 656; located on the south side of Chesterfield Airport Road, west of Long Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations and Landscape Plan for Granger Contracting – Lot 22 of Spirit Trade Center Plat Two. The motion was seconded by Chairman Layton **and passes by a voice vote of 9 to 0.**

~~G. **Spirit Trade Center Plat 1 Lot 4- Solomon Building;** Site Development Section Plan, Architectural Elevations and Landscape Plan for 3.22 acres in the "M-3" Planned Industrial District, governed by City of Chesterfield Ordinance Number 656. Located on the south side of Chesterfield Airport Road, west of Long Road.~~

H. **Chesterfield Business Park:** Site Development Section Plan, Architectural Elevations, Landscape Plan, and Architect's Statement of Design Compliance. The subject property is zoned "PI" Planned Industrial. The Chesterfield Business Park is located on the south side of Chesterfield Airport Road and north of Edison Avenue.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations, Landscape Plan and Architect's Statement of Design Compliance for Chesterfield Business Park. The motion was seconded by Commissioner Broemmer **and passes by a voice vote of 9 to 0.**

I. **P.Z. 10-99 Chesterfield Corporate Park;** A Site Development Concept Plan within the "PI" Planned Industrial District for a 20 acre tract of land located on the north side of Chesterfield Airport Road, approximately 820' west of Long Road. (Locator Number: 17U 41 0038)

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Concept Plan for P.Z. 10-99 Chesterfield Corporate Park with the addition of signalization installed at the Chesterfield Industrial Boulevard, Chesterfield Corporate Drive and Chesterfield Airport Road. The motion was seconded by Chairman Layton **and passes by a voice vote of 9 to 0.**

IX. COMMITTEE REPORTS:

A. Ordinance Review Committee –

Committee Chairman Sherman stated that the Ordinance Review Committee had met. Members of the development community addressed the Committee at the meeting. The Committee will be receiving more information and meet again to come up with recommendations for the ordinance.

Chairman Layton stated that he would like another meeting of the Ordinance Review Committee scheduled as soon as possible.

City Attorney Beach stated that he would like to attend the next meeting.

Planning Director Price stated that since the Planning Department is short-staffed, meetings would need to be prioritized.

Chairman Layton stated that the Ordinance Review Committee is a priority and Commission members agreed.

Director of Planning Price stated that Staff is compiling material and a meeting will be scheduled before the first Planning Commission Meeting in January.

Chairman Layton asked that all Commission members receive the Committee information.

B. Architectural Review Committee – No report
C. Site Plan/Landscape Committee – No report
D. Comprehensive Plan Committee –

Committee Chairman Broemmer stated the Comprehensive Plan Committee is in the process of scheduling a meeting.

Assistant Director of Planning Griggs-McElhanon stated that the Valley Master Plan Committee met and finalized their recommendation on the amendments in the Valley to everything not covered by Phase 3 that is protected by the levee. Assistant Director of Planning Griggs-McElhanon will be formalizing the recommendation for the Commission.

Director of Planning Price stated that there is becoming a parallel between the Ordinance Review Committee and the Comprehensive Plan Committee in regards to the percent of open space and height of buildings. The committees are beginning to overlap.

Assistant Director of Planning Griggs-McElhanon stated that the Comprehensive Plan Committee is in the process of scheduling a meeting. The meeting will be to discuss land use definitions, cross access and land use on Conway Road.

Commissioner Eifler stated that Solomon II is being held up because of a motion he made and the Commission passed to get a recommended density for that entire area. The traffic report by Crawford Bunte Brammeier, which was forwarded to the Commission on November 17, 1999, takes a good approach at answering the question that he asked which was, "What will the existing road infrastructure support in terms of density in that entire area." The report defines that and then states that for additional square footage we have to do "X" and for still more we have to do "Y" in terms of improving the road infrastructure. Commissioner Eifler stated that he understands that the Department of Planning has a great deal of work and a reduced staff but, if it is correct, this approach satisfies him. The approach is what he likes and it is up to the Planning Department to evaluate, get other professional input, if necessary, and either agree or disagree.

Director of Planning Price stated that the traffic study for Solomon II is out to the agencies for their input. Once Staff gets that input, Director of Planning Price and Public Works Director Geisel will evaluate the information and determine if an outside consultant is needed.

Director of Planning Price stated that the Regional Transportation Study is underway. The counts are being done and Staff must provide the base data.

Chairman Layton stated that top priority is the Ordinance Review Committee.

E. **Procedures and Planning Committee** – No report

X. ADJOURNMENT

A motion to adjourn was made by Commissioner Macaluso and seconded by Commissioner Right. The motion **passes by a voice vote of 9 to 0.**

The meeting adjourned at 9:32 P.M.

Charles Eifler, Secretary