

**PLANNING COMMISSION  
OF THE CITY OF CHESTERFIELD  
AT CHESTERFIELD CITY HALL  
DECEMBER 9, 2013**

The meeting was called to order at 7:02 p.m.

**I. ROLL CALL**

**PRESENT**

Ms. Merrell Hansen  
Ms. Laura Lueking  
Ms. Debbie Midgley  
Mr. Robert Puyear  
Mr. Steven Wuennenberg  
Chair Michael Watson

**ABSENT**

Ms. Wendy Geckeler  
Ms. Amy Nolan  
Mr. Stanley Proctor

Councilmember Connie Fults, Council Liaison  
City Attorney Rob Heggie  
Ms. Aimee Nassif, Planning & Development Services Director  
Mr. John Boyer, Senior Planner  
Ms. Jessica Henry, Project Planner  
Mr. Jeff Paskiewicz, Senior Civil Engineer  
Ms. Mary Ann Madden, Recording Secretary

**II. PLEDGE OF ALLEGIANCE**

**III. SILENT PRAYER**

Chair Watson acknowledged the attendance of Councilmember Connie Fults, Council Liaison and Councilmember Nancy Greenwood, Ward I.

**IV. PUBLIC HEARINGS – Commissioner Puyear read the “Opening Comments” for the Public Hearings.**

**A. P.Z. 13-2013 St. Luke’s Hospital-East Campus (222 S. Woods Mill Rd.):**

A request for an amendment to Ordinance 2224 to modify the boundaries and development conditions of the “MU” Medical Use District located east of the intersection of South Woods Mill Road and Hwy 141 (18Q240306).

**STAFF PRESENTATION:**

Senior Planner John Boyer gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Boyer stated the following:

- All Public Hearing notification requirements have been met.
- Ordinance 2224 governs the East Campus and also encompasses a section to the west of Highway 141. The Applicant is requesting to remove the section west

of Highway 141 from Ordinance 2224. The Applicant wants to separate the two campuses, each having their own ordinances.

- The City's Comprehensive Land Use Plan designates this portion of the City to be the *Hospital Land Use District*.
- The site was originally zoned "NU" Non-Urban District under St. Louis County. In 1978, a Conditional Use Permit was approved by County to allow the *Hospital* use on the "NU" District.
- In 2005, the site was rezoned to "MU" Medical Use District under City Ordinance 2224.
- The site was constructed under St. Louis County during the late '70s. There have been multiple amendments to the Ordinance for small additions to the site.
- A Site Development Concept Plan was approved in 2006, which depicts the hospital's ultimate build-out.

Existing Permitted Uses (*No new uses are being proposed*)

- Educational Services to the Public related to Health Care
- Health Services, including clinics of doctors and dentist
- Hospitals and Medical Centers
- Laboratories
- Medical Care Facilities
- Research Facilities
- Residential Care and Treatment Facilities

Existing Ancillary Uses

- Cafeterias for the use by employees and guest of primary uses
- Day Care, including Adult Day Care
- Duplicating, Mailing, Stenographic and Office Services
- Florists
- Gift Shops
- Heliport
- Hospitality Houses
- Orthopedic Stores
- Parking Structures, Public or Private
- Pharmacies
- Places of Worship
- Restaurants, under 2,000 sqft gross floor area without drive-thrus or drive-ins
- Schools and training facilities related to the Medical Profession, including, but not limited to schools for nursing
- Social Services
- Terminus for buses and other Public Mass Transit Vehicles

Preliminary Plan – The Preliminary Plan shows the following additions:

- An additional two stories to the existing westernmost parking garage;
- Additional square footage to the existing power plant;
- Planned medical expansions;
- A skyway access that will connect two wings of the building;
- Replacement of the five-level parking garage on the north section of the campus

None of the proposed additions will exceed the height of the existing hospital buildings.

### Tree Stand Delineation

As required by the City's Tree Manual, a Tree Stand Delineation has been submitted. The Tree Stand Delineation is an inventory of the trees and woodland massing areas on the site.

### Items under Review by Staff

- Preliminary Plan - There is a required 200-foot setback along the northern property line; the Preliminary Plan depicts the replaced garage encroaching within this setback.
- Agency Comments – Staff is waiting for some additional agency comments.

### **PETITIONER'S PRESENTATION:**

1. Mr. Mike Doster, Attorney representing the Petitioner, DosterUllom, 16090 Swingley Ridge Road, Chesterfield, MO stated the following:
  - This application pertains only to Parcel A (East Campus). A separate application is being filed for the East Campus because it is their desire to have the East Campus under its own ordinance.
  - They are not asking for any changes in the terms, conditions, or development standards as they exist under the current ordinance.
  - Regarding the setback issue pointed out by Mr. Boyer, they will review and resolve the apparent discrepancy because it is not their intent to encroach into the setback.
2. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO gave a PowerPoint Presentation and stated the following:
  - The campus is entitled to have 936,500 square feet, of which 826,800 square feet has already been constructed. There is a remaining 109,700 square feet to be added to the site, as identified in yellow in the picture below.



- The proposed improvements of 109,700 square feet include:
  - Two-story patient tower
  - Two-story diagnostics addition
  - Skywalk between the patient towers
  - One-story power plant expansion

- Thirty-one space parking addition
- Two additional floors to an existing parking garage
- Five-level replacement of an existing parking garage
- They do not intend to encroach over the 200-foot setback for the parking garage.

3. Mr. Don Miller, St. Luke's Hospital, 232 S. Woods Mill Road, Chesterfield, MO stated he was available for questions.

**SPEAKERS IN FAVOR:** None

**SPEAKERS IN OPPOSITION:** None

**SPEAKERS – NEUTRAL:** None

### **DISCUSSION**

Commissioner Lueking asked if there is a Certificate of Need required for any additional beds on the campus. Mr. Doster replied that the hospital already has its Certificate of Need under the existing ordinance; they are not planning to expand beyond what has already been contemplated.

**B. P.Z. 14-2013 St. Luke's Hospital-West Campus (175 S. Woods Mill Rd.):** A request for a zoning map amendment from "MU" Medical Use District, "R-2" Residence District and "FPNU" Flood Plain Non-Urban District to create a new "MU" Medical Use District for a 40.3 acre tract of land located west of the intersection of South Woods Mill Road and Hwy 141 (18Q140343, 18Q510278, 18Q230204 and 18Q210211).

Senior Planner John Boyer gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Boyer stated the following:

- All Public Hearing notification requirements have been met.
- The City's Comprehensive Land Use Plan designates the site as *Residential*. Within the Residential Use Districts, *Hospital* uses are permitted.
- The site was originally zoned "NU" Non-Urban. In 2005, a portion of the southern site was rezoned to "MU" Medical Use District under Ordinance 2224, which is the current ordinance authority for that section of the site. In 2006, the northern portion of the site was rezoned from "NU" Non-Urban District to "MU" Medical Use District under Ordinance 2372.
- A variance was granted under Ordinance 2372 for the northern portion for a 25 foot front yard setback from the required 50 foot setback.
- Ordinance 2372 was repealed in 2008 with the creation of Ordinance 2499.
- The properties to the south were originally zoned "NU" Non-Urban District; but were rezoned to "R-2" Residential District via Ordinance 1581 in 1999.
- A Site Development Concept Plan was approved in 2006 for a portion of the site under Ordinance 2224.
- A Site Development Section Plan was approved in 2006.
- An Amended Site Development Concept Plan was approved in 2009 for the northern portion under Ordinances 2372 and 2499.

Existing Permitted Uses (*No new uses are being proposed*)

- Educational Services to the Public related to Health Care

- Health Services, including clinics of doctors and dentists
- Hospitals and Medical Centers
- Laboratories
- Medical Care Facilities
- Research Facilities
- Residential Care and Treatment Facilities
- Schools for the Handicapped

Existing Ancillary Uses

- Assisted Living Services
- Cafeterias for the use by employees and guest of primary uses
- Day Care, including Adult Day Care
- Duplicating, Mailing, Stenographic and Office Services
- Florists
- Gift Shops
- Heliport
- Hospitality Houses
- Orthopedic Stores
- Parking Structures, Public or Private
- Pharmacies
- Places of Worship
- Restaurants, under 2,000 sqft gross floor area without drive-thrus or drive-ins
- Schools and training facilities related to the Medical Profession, including, but not limited to, schools for nursing
- Social Services
- Substance Abuse Treatment Facility, Outpatient
- Terminus for buses and other Public Mass Transit Vehicles

Concept Plan

The Concept Plan basically shows how the site will be built out.

Preliminary Plan

- Most of the buildings depicted on the Preliminary Plan were shown on the Concept Plan with the exception of some surface parking and a medical building on the parcel between South Woods Mill and Highway 141.
- The only minor access change being shown on the Plan is access to the site in order to get to the surface parking.

Tree Stand Delineation

As required by the City's Tree Manual, a Tree Stand Delineation has been submitted. The Tree Stand Delineation is an inventory of the trees and woodland massing areas on the site.

Items under Review by Staff

- Preliminary Plan – Staff will be reviewing setbacks, building locations, etc.
- Agency Comments - Staff is waiting for some additional agency comments.

**DISCUSSION**

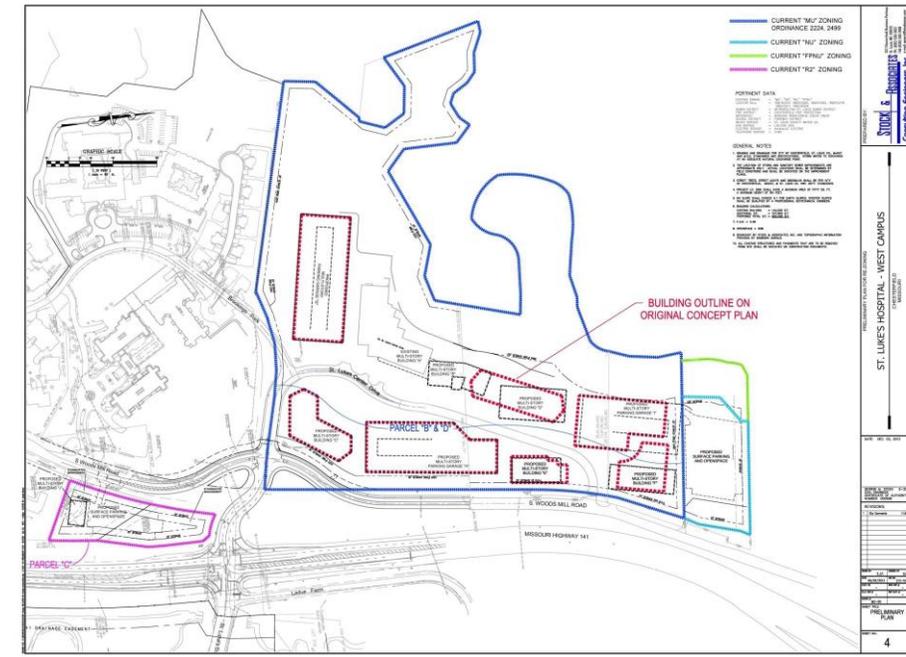
During discussion, the following points were clarified:

- Building heights will remain the same as allowed under the current ordinance.
- Setbacks will remain the same along the western property line.

- Setbacks along the northern property line, closest to the residential developments, will remain the same.
- Internal lot lines would be removed with the approval of the new ordinances.
- The 25-foot setback abutting Woods Mill Road was granted as a variance by the Board of Adjustment in 2007 in lieu of the required 50-foot setback.

**PETITIONER'S PRESENTATION:**

1. Mr. Mike Doster, Attorney representing the Petitioner, DosterUllom, 16090 Swingley Ridge Road, Chesterfield, MO stated the following:
  - The West Campus includes Parcels B, C, D, and E. They are seeking to consolidate these four parcels under one Medical Use ordinance, and seeking to have uniform standards apply throughout the Medical Use District.
  - Parcel A (*East Campus*) and Parcel B (*West Campus*) were part of the original "MU" Medical Use District ordinance adopted in 2005. The ordinance was divided into two parts with one part being applicable to Parcel A, and one part being applicable to Parcel B.
  - They are now seeking to take Parcel A out of the original ordinance and have it placed under its own ordinance.
  - The second ordinance that was passed applied to Parcel D (*a portion of the West Campus*) which had its own development standards.
  - Since that zoning, St. Luke's has acquired additional property to the north and is seeking to zone Parcel C as part of the Medical Use District.
  - The Floor Area Ratio (F.A.R.) for Parcels B and D, as they currently exist, is .47; when Parcels B, D, C, and E are combined, the F.A.R. is .48.
2. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO.
  - Mr. Stock gave a brief history of the work that has been done on the West Campus over the years, including the relocation of Woods Mill Road, the reconstruction of Brookings Park Drive, and construction of the Desloge Outpatient building.
  - Parcel B (*21.757 acres*) and Parcel D (*14 acres*) were allowed 725,000 square feet on 35.78 acres, of which 144,200 square feet have been constructed (*Desloge Building*).
  - There are some practical difficulties with the ordinance for Parcels B and D – Parcel B allows five-story buildings (*340,000 sq. ft.*); Parcel D allows six-story buildings (*385,000 sq. ft.*). Each parcel has a different requirement for open space, floor area ratio, and setbacks. Their intent is to get the same requirements for both parcels.
  - The request is to include Parcels B and D (*35.78 acres*), 83 S. Woods Mill Road (*2.5 acres*), and Parcel C (*2 acres*) under one ordinance that encompasses 40.3 acres.



- Mr. Stock displayed the above plan noting that the items outlined in red are what was originally approved, while the dashed black lines are the proposed new building footprints.
- The request is to increase the square footage to 852,000 square feet disbursed over 40.3 acres. Some of the square footage will be on Parcel C (outlined in pink and zoned "R2") in the form of a two-story building. Access to Parcel C is currently shown offset from Brookings Park; it is their intent to meet the City's access management guidelines regarding access to this parcel.
- Because of the current zoning line between Parcels B and D, it does not allow them to build the next building, which would be located immediately adjacent to the Desloge Outpatient building (121 St. Luke's Center Drive). The proposed multi-story building straddles the zoning line so it can't comply with setbacks between the two zoning ordinances. This building would be five stories to the east and six stories to the west, which is consistent with the Desloge Outpatient building.
- The intention is to build two smaller medical buildings rather than one large medical building.
- There is a mass of trees to the west of the site, which acts as a buffer between the hospital site and Green Trails subdivision. They do not intend to remove any more of the trees and to incorporate a small berm in the area with the next building and surface parking.
- The property at 83 S. Woods Mill Road (outlined in turquoise) would be constructed as a surface parking lot with some storm water basins.
- Meetings have been held with Green Trails and Ladue Farm Estates regarding the proposed plans where discussion was held regarding lighting and separation. The Petitioner has agreed to put louvers on the west side of the garage to keep the source of light hidden.
- They believe their proposal is consistent with what was represented in 2005 and 2008 with the change in building shapes along the western portion, the increase

in building height on the eastern portion, and the additional land that has been added.

### **DISCUSSION**

In response to questions from the Commission and Staff, Mr. Stock clarified the following points:

- **Surface Parking Lot:** The proposed surface parking lot (*outlined in turquoise*) will remain surface parking; it will not be constructed as a garage. Ms. Nassif added that the Planning Commission can specify in the ordinance that this area is to remain as surface parking only.
  - **Setback along Highway 141:** The setback along Highway 141 varies from 50 feet to 25 feet. The variance for the 25-foot setback was granted by the Board of Adjustment in 2007 in order to protect the existing woodlands along the western portion of the site and to pull the buildings down further to the east, which dropped their elevation.
  - **Proposed Multi-Story Building C:** This is proposed to be a two-story, 18,000 square foot building and currently shows an offset curb cut. The Petitioner is committed to following the City's access management guidelines so the final Site Plan may have changes to this area.
  - **Height of Existing Desloge Outpatient Building in relation to Future Proposed Buildings:** The Desloge building is five stories with a basement - if you are on the west side of the building, it is six full stories; from the front of the building (east side), you see five stories. It is anticipated that the building immediately adjacent to the Desloge building (*Building B*) will be the same height and there will be a corridor that connects those two buildings. The next building to the north (*Building D*) would drop down 13'6" or 15' – it would be offset by a floor. The proposed parking garage (*Garage I*) to the north would be even lower. The building in the northeast corner (*Building F*) will be the lowest building on the site. Building E will be one story lower in appearance than Building D; and Building D will be one story lower in appearance than Building B.
  - **Timetable for Ultimate Build-out:** In 2014, the Petitioner would come in with Site Plans for Building B and a surface parking lot. It is anticipated that the ultimate build-out would be 20-30 years.
3. Mr. Don Miller, St. Luke's Hospital, 232 S. Woods Mill Road, Chesterfield, MO stated he was available for questions.

### **SPEAKERS IN FAVOR:**

1. Ms. Jeanne Gieseke, 14015 New Bedford Court, Chesterfield, MO – Trustee of Green Trails Country Club Grounds stated the following:
  - Their subdivision is directly behind the West Campus.
  - They want to insure that the new construction will take into account the needs of their neighborhood. The buildings at the back of the project are being built on a bluff that overlooks their subdivision. Buildings that will be built closer to Woods Mill Road will be at a lower ground elevation and will not disturb their subdivision.
  - The 25-foot setback variance came about through discussions with residents of the subdivision as they wanted buildings built away from the edge of the bluff to allow room for a berm to be put at the back of the project – a berm that would be planted substantially with evergreens to provide buffer and screening.

- They are requesting that the *heliport* be removed from the permitted uses since there is already a heliport on the main campus. There is concern that a heliport on the West Campus may cause disturbance to their subdivision.
- They are requesting that the *hours of operation* be restricted to normal business hours to prevent traffic and use of the parking garages late at night.
- There are lighted signs on the Desloge Building that can be seen from their subdivision. They would like to have lighted signs face away from their subdivision.
- They would like to minimize the impact of parking structure lights on their subdivision by adding louvers and other screening.
- The recorded Amended Site Development Concept Plan calls for the four-foot berm to be planted with evergreens along a portion of the bluff that overlooks their subdivision. They want to be sure that this requirement remains in the final plan.
- They want an opportunity to review the proposed ordinance once it is drafted.

**SPEAKERS IN OPPOSITION:**

1. Ms. Nancy N. Marshall, 51 South Woods Mill Road, Chesterfield, MO stated the following:
  - She is speaking on behalf of her mother, Delores Maryka, who owns the property immediately adjacent to 83 South Woods Mill Road.
  - She wants to make the Commission aware of a restrictive covenant between Ms. Maryka's property and 83 South Woods Mill Road. This covenant states that these two properties are only to be residential use, so the proposed surface parking is in conflict with the covenant.
  - Ms. Maryka has not agreed to change the covenant in any way and is not interested in having a surface parking lot adjacent to her property.

City Attorney Heggie thanked Ms. Marshall for this information and then advised her that the Planning Commission is charged with reviewing the zoning on that particular parcel, so whether or not the covenant is still valid, or will be enforced by Ms. Maryka, is something that the Planning Commission would not take under consideration.

2. Mr. Robert J. Kelly, 14001 Woods Mill Cove, Chesterfield, MO stated the following:
  - He is a resident of The Terraces and is interested in receiving information about Parcel C, which is zoned "R-2".
  - He is concerned about the future value of his home. A recent appraisal has shown that his home has decreased in value because of Highway 141.
  - If the parcel is rezoned from "R-2" and the setbacks are changed, he has concerns that the hospital campus "will work its way up to Conway Road and then they will have no buffer and no green, and their property values would plummet and taxes would rise."
  - He is asking that Parcel C remain as "R-2" residential or green space.
  - There are concerns about the increased traffic.
  - They want to keep their buffer and their property values as best they can.

At Ms. Nassif's request, Mr. Kelly pointed out the location of his home on one of the plans provided in the PowerPoint presentation. Ms. Nassif then informed Mr. Kelly that there is a 30-foot buffer required around the perimeter of each of the parcels in an "MU" District; both the Planning Commission and City Council have the ability to increase the size of the buffer requirements if deemed necessary.

3. Mr. William B. Bradshaw, 309 Woods Mill Terrace Lane, Chesterfield, MO stated the following:
  - He has concerns about the current traffic flow in the area and feels that the addition of more buildings will add to the already heavy traffic flow. During the morning and evening peak hours, it is “almost impossible to get in and out of The Terraces”. He pointed out that there are safety issues when motorists are trying to enter the traffic flow.
  - He is opposed to more expansion of the hospital. He noted that the hospital currently is “one of the finest hospitals in the State of Missouri and a very fine hospital nationwide”.
  - He stated that the area has been residential and has concerns that the hospital will acquire more property for expansion.

Commissioner Wuennenberg stated that as a resident who uses the new Highway 141, he agrees that traffic during the rush hour time periods is a “disaster”. Ms. Nassif stated that Staff has notified the Applicant that a new traffic impact study will be required, which will be reviewed to determine what road network changes and access points will need to be addressed.

4. Mr. Michael F. Donahue, 14005 Woods Mill Cove Drive, Chesterfield, MO stated the following:
  - He has concerns that not more information was given about Parcel C, which is zoned “R-2”. He would like to see a topographical map of this parcel similar to the topographical map shown for the other parcels.
  - In order not to be repetitive, he noted his agreement with the comments made by Mr. Bradshaw.
  - The plan shows a proposed two-story building for this parcel and he noted that this area “goes down like a ski slope” and questioned how a parking lot could be built there.
  - He has concerns about his property values, which have decreased because of the traffic noise.
  - He also has concerns about the traffic along Woods Mill Road. To avoid the stop lights on 141, motorists drive up to Old Woods Mill Road and then down Woods Mill Cove Drive, which has resulted in a number of accidents.
  - He is opposed to adding Parcel C to the future expansion.
5. Mr. George Hallad, 14122 Woods Mill Cove Drive, Chesterfield, MO stated the following:
  - He has concerns about the traffic. The traffic on Old Woods Mill Road and Conway Road produces at least three traffic accidents per month. There is an accident at least once a week at the intersection of 141 and Conway.
  - The morning and evening rush hours are “horrendous” and the lines keep getting longer.
  - He sees no need for the expansion without due diligence being considered with traffic.
  - The proposed expansion on the “R-2” parcel is also a concern.
6. Mr. Lou Vitucci, 14142 Woods Mill Cove Drive, Chesterfield, MO – Trustee of The Terraces stated the following:
  - He sees a problem which he refers to as “office building crawl”.

- He questioned whether there was a traffic impact study done for the Desloge Medical Building, and if so, were the results significant enough to create discussion.
- He has traffic safety concerns when drivers are trying to enter the traffic flow.
- He is requesting that Parcel C be left out of the expansion plans.

Ms. Nassif stated that there was a traffic study done for the Desloge Building in 2005-2006, and the results of the study were utilized during the improvement plan and site plan stages. Due to the recent work completed by MoDOT, Staff is requiring a new study.

**SPEAKERS – NEUTRAL:**

1. Mr. Harvey Rosenberg, 217 S. Greentrails Drive, Chesterfield, MO – Trustee of Green Trails Village stated the following:
  - The aesthetics and the visuals are important to them.
  - He is one of the groundskeeper for Green Trails Village and is responsible for the 20 acres that sit along the power line field, which they maintain meticulously.
  - The residents who live on Saylesville are “living a nightmare because of work being done by MoDOT, Ameren, and MSD.” Ameren is putting up new towers on the property, and MSD’s waste water pipe project is causing “cavitating problems”.
  - They have concerns that the proposed construction will “dump a ton of water into an already flooded area that will affect the people on Saylesville.”
  - He feels that the infrastructure and the ground that they are maintaining should be reviewed.
2. Mr. David Kaplan, 14231 Trailtop Drive, Chesterfield, MO passed on speaking.
3. Ms. Jo Ann Black, 148 Saylesville Drive, Chesterfield, MO stated the following:
  - She agrees with comments made earlier by both Jeanne Gieseke and Harvey Rosenberg.
  - She feels that there is a misconception of what the proposed development may look like on the Saylesville side. There is a high bluff and the buildings are backed up as far as they can to the back of the bluff. She invited the Commission to view the area from Saylesville Drive.
  - They had thought that the tallest building would only be five stories but now they are hearing that it will be six stories. A six-story building will appear as an eight or nine-story building because of the bluff.
  - The common ground behind her house is a floodplain and they have a lot of concerns of how displacing the land will affect the floodplain. They want to make sure that any new construction will not place their homes within a floodplain area.
  - There is a nice tree buffer but during half of the year, the trees do not provide any buffering because of leaf loss.
  - They want to be included in future meetings and in plans so they can have input into such things as the lighting, noise, buffers, etc.
4. Mr. Vern Dirnberger, 14118 Woods Mill Cove, Chesterfield, MO stated the following:
  - He recommends keeping the “MU” zoning and considering any slight change of use that may be requested, but also recommends keeping the residential zoning on Parcel C.

5. Mr. Henry DeWoskin, 152 Saylesville Drive, Chesterfield, MO stated the following:
- His back yard faces the bluffs and during the summer he does not see St. Luke's at night. But during the winter, he sees car headlights and the light on the Desloge Building. The buildings are on a bluff and look down on the homes.
  - He has concern about additional lighting coming down on his property, especially if six-story buildings are approved. (*Mr. DeWoskin pointed out the location of his home to the Commission.*)

**PETITIONER'S RESPONSE:**

Mr. Doster stated that it is standard practice for Staff to prepare an Issues Letter that summarizes Staff's concerns, along with all the comments made by the residents. St. Luke's has listened to the concerns and will respond in writing once they receive the Issues Letter.

**ISSUES** – In addition to the issues Staff has noted, Mr. Boyer summarized the following issues:

1. Access to the southern parcel (*Parcel C*)
2. Lighting of the project and how it affects adjoining parcels; louvers on the garage
3. Height and ultimate design of the proposed buildings; possible restriction of the height of some buildings
4. Buffering, landscaping, and visual impact of the development
5. Noise from the project and from Highway 141
6. Removal of the heliport use from the West Campus
7. Restriction of hours of operation
8. Lighted signs and their effect on neighboring properties to the west
9. Property value deterioration
10. Storm water concerns
11. Traffic issues in the area
12. Determine the need for Parcel C in this request
13. Possible phasing of the project
14. Preservation of the bluffs

Commissioner Puyear read the Closing Comments for the Public Hearings.

Ms. Nassif then explained the development process to the audience for the St. Luke's petitions. After tonight's public hearings, an Issues Letter will be generated to the Applicant including all the items raised during the public hearings, in addition to Staff concerns after its review of the projects. After Staff receives a response to the Issues Letter, the petitions will be placed back on the agenda for an Issues Meeting at which time the Commission will discuss any open issues. After the Issues Meeting, the Applicant has the option of amending their plans. A third meeting will then be scheduled before the Planning Commission for a vote on the petitions. All meeting dates will be posted on the City's website; updates on the petitions can also be found on the City's website at <http://www.chesterfield.mo.us/active-projects.html>. Residents can also contact Senior Planner John Boyer for any information about the project.

After the recommendation from the Planning Commission, the petitions will be forwarded to the Planning & Public Works Committee for review; and then finally onto City Council for two readings.

If the petitions are approved, the next phase of the process is Site Plan review, which requires architectural elevations, landscape plans, tree preservation plans, lighting plans, and signage information. That process involves a full Staff review, then onto the Architectural Review Board, the Planning Commission, and likely City Council for Power of Review. The Site Plan process takes approximately 3-4 months but will not start until, and only if, the zoning is approved.

## V. APPROVAL OF MEETING SUMMARY

**Commissioner Wuennenberg made a motion to approve the Meeting Summary of the November 25, 2013 Planning Commission Meeting.** The motion was seconded by Commissioner Hansen and **passed by a voice vote of 6 to 0.**

## VI. PUBLIC COMMENT

### A. P.Z. 12-2013 The Wedge (McGrath Plaza)

#### Petitioner

1. Mr. Brad Goss, 120 S. Central Avenue, St. Louis, MO presented a PowerPoint presentation and stated he would be addressing some of the issues that still remain outstanding from the Issues Letter:
  - The site is a challenging site – it consists of approximately 5 acres on the main parcel and .22 acres on the outlot. One of the challenges the site presents is that it is a triangular-shaped piece of property, which makes it difficult to achieve some of the setback requirements.
  - The entire site is surrounded by roads, which are controlled by St. Louis County.
  - Relocated Olive Boulevard, when it is constructed, will be higher than the subject site by about 3-5 feet so when the site is developed, they will have to add fill to the site to obtain the storm water drainage.
  - The current zoning for the property is “C-8” and there are three parcels that are zoned with three separate zoning ordinances - Ordinances 811, 855, and 1425. These three ordinances, in total, allow 35,350 square feet of buildings and 8 entrances onto the roads surrounding the properties.
  - The proposed development is less intense than the current zoning allows. The proposed development has 4 buildings with a total of 34,524 square feet and 5 entrances on the main parcel and 1 entrance on the outlot.
  - Access
    - They have eliminated one of the south entrances.
    - They are providing for a full access entrance opposite to the hotel drive and they are limiting the accesses to right-in/right-out on Chesterfield Airport Road.
    - There is a road entrance onto relocated Olive Street Road.
    - Two entrances onto Olive Street, which dead-ends.
    - One access onto the outlot parcel.
  - They are trying to achieve better internal circulation on the site with the proposed entrances.
  - Staff has recommended that the westernmost entrance be eliminated but if this is eliminated, they are concerned that they will have traffic problems and accidents on the site.

- St. Louis County has reviewed the proposed entrances and has issued a letter approving these entrances.
- Since this is a partially developed site, they believe that “the minimum sight distances are what ought to control as opposed to the desirable sight distances”. They do meet the criteria associated with the ordinance with respect to the minimum distances.
- If they eliminate the entrances recommended by Staff, they will have only 1 entrance on the eastern portion of the site and 2 entrances on the south, which they believe will cause internal traffic conflicts.
- They feel the proposed entrances work for the site and work with the surrounding traffic; St. Louis County has also indicated its approval of the proposed entrances.

Chair Watson pointed out that the site to the west has been developed and traffic at that light is always backed up. He noted that the Petitioner is proposing an entrance right in the middle of this area. Mr. Goss responded that they are proposing a right-in/right-out on the westernmost entrance so the traffic will just circle around the corner and come into the site, which they do not believe will cause any traffic conflicts. He also noted that St. Louis County does not think this will cause any conflicts. He then pointed out that there are two right-turn lanes on the western drive of relocated Olive Street Road.

2. Mr. Steve Madras, 15925 Chownig Court, St. Louis, MO passed on speaking.
3. Mr. John Geisz, 1008 Regent Terrace, Kirkwood, MO passed on speaking.
4. Mr. Doug Tiemann, Engineer with Pickett Ray, 22 Richmond Center Court, St. Peters, MO stated he was available for any questions related to access or anything on the Site Plan.
5. Ms. Mindy Mahn, 120 S. Central Avenue, St. Louis MO – it was noted that Ms. Mahn was going to speak if Mr. Goss had not been available.
6. Mr. Nick Burkhart, 120 S. Central Avenue, St. Louis MO – it was noted that Mr. Burkhart was going to speak if Mr. Goss had not been available

**Speakers in Favor:**

1. Mr. Mike Doster, representing the Owner (Rita McGrath), 16090 Swingley Ridge Road, Chesterfield, MO stated the following:
  - The Owner’s interest is somewhat aligned with the Purchaser under contract and would like to see the zoning process reach a successful conclusion so they can sell their property.
  - The currently-approved access points are being reduced from 8 to 6.
  - It appears to him that the County’s comments approve of the proposed access points.
  - In 1993, there was a zoning process that resulted in Ordinance 811. Contemporaneous with that process, the McGraths donated – without cash compensation – acres of right-of-way to make possible the road improvements that currently exist. Much of the land that was donated was not related to the development that was being proposed under Ordinance 811 – some of it not even contiguous to the property. He will be reviewing this further.

- He would like to meet with Staff, the Petitioner, and the Petitioner's Counsel to try and work out the issues so they can move forward.

## VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

## VIII. OLD BUSINESS

- A. **P.Z. 12-2013 The Wedge (McGrath Plaza)**: A request for a change of zoning from an existing "C8" Planned Commercial District to a new "PC" Planned Commercial District for 5 tracts of land totaling 5.26 acres located on the north side of Olive Street Road, west of its intersection with Chesterfield Airport Road. (17W620235, 17W620246, 17W610104, 17W610094, 17W610083)

Project Planner Jessica Henry stated that the Applicant is proposing to use the property for the construction of four new buildings, including a convenience store with pump islands, a fast-food restaurant, and future retail and commercial development.

A Public Hearing was held on October 28, 2013 at which time several issues were identified as noted below:

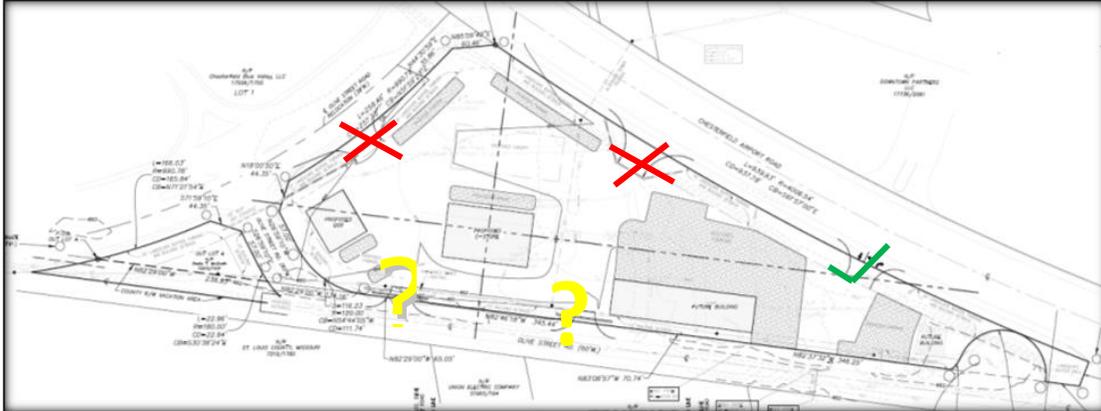
- The number and location of access points shown on the preliminary development plan.
- The number, type, and intensity of the uses requested.
- The requested setbacks and lack of landscape buffers.
- The ability to meet open space requirements.
- The Applicant's intention of clear cutting the site and how the placement of several feet of fill will impact drainage.
- The requested density of the development.

Since the Public Hearing, Staff met with the Applicant on November 25<sup>th</sup> and has had several conversations with the property owner as well. Based on the Issues Letter and those conversations, the Applicant has revised their request in the following ways:

- Reduced the number of uses from 79 to 48 and eliminated the 6 light industrial uses from the request.
- The landscape buffers have been revised to provide a 30' buffer along Chesterfield Airport Road and relocated Olive Street Road. However, in expanding this buffer, the buffer along Old Olive Street Road was eliminated.
- The Applicant addressed advisory comments regarding open space requirements and density requirements by acknowledging that they will have to meet the City's requirements.
- The future request to clear cut the site will be considered during the Site Plan process and the Applicant acknowledged that they would have to submit the request and mitigate for that loss.
- The requested access points to the development are still an issue of concern. Staff advised the Applicant that some of the proposed access points did not meet the City of Chesterfield Access Management requirements. The Applicant has not made any changes to the access points and has chosen to move forward without any changes to the Preliminary Plan. As such, Staff has been unable to

prepare an Attachment A and attach the Preliminary Plan as the two documents would not correspond.

The plan below shows Staff's recommendation for each proposed access.



- Red—these do not meet access management requirements and Staff recommends that they be eliminated.
- Green—this entrance location is set based on the location of the hotel access across Chesterfield Airport Road and meets the City's access management guidelines.
- Yellow—Staff has received no justification, such as high traffic volumes, for the need for multiple access points off of Old Olive Street Road. Therefore, Staff recommends that one of these access points be eliminated unless the Planning Commission feels otherwise.

Staff did receive comments from St. Louis County; while the County chose to include the access language used in the existing ordinances, they reaffirmed in writing that they will defer to the City of Chesterfield on any decision regarding the location and number of access points.

Due to the outstanding access issues, Staff recommends that the access issues be closed before the Planning Commission votes on this project.

### **DISCUSSION**

During discussion, the following points were clarified:

- The buffer along Chesterfield Airport Road has been increased to 30 feet.
- The building on the far east side, and the building along relocated Olive Street Road, are both on the buffer line.
- No buffer is provided on the south side along Old Olive Street Road; it was eliminated in order to meet the 30-foot buffer.

Ms. Nassif provided information about access distance requirements:

- Proposed western access on Olive Street Road: The City requires 350-foot spacing from the intersection at Olive and Chesterfield Airport Road to where the first access point is allowed. The Applicant is proposing 163 feet.
- Proposed western access on Chesterfield Airport Road: The City requires a 350-foot distance and the Applicant is proposing 300 feet.

- Proposed eastern access on Chesterfield Airport Road: This access needs to align with the existing drive across the street from the hotel. This access point prohibits a second access point on Chesterfield Airport Road because it would not meet the spacing requirements.
- Two proposed access points on Olive Street Road: Staff is requesting justification statements from the Applicant explaining why both curb cuts are necessary.

Commissioner Hansen felt that the reduced list of permitted uses still appears to be very broad. Ms. Nassif stated that this can be added to the list of items for the Petitioner to address requesting that they eliminate some of the uses that may not be appropriate for the site.

Chair Watson questioned whether there has to be an access across the street from the hotel. Ms. Nassif replied that this access is required and cannot be moved – if it is moved, it would make the site out of compliance with the City’s access management requirements. There are distance spacing requirements from intersections from opposite lefts and opposite rights and from the same side of the street which would require this access to be located across the street from the hotel. The access to the hotel is a full access point and the proposed access is a full access point. The proposed access point across from the hotel does not cause any conflicts or issues with the signalized intersection at the relocated Olive and Chesterfield Airport Road.

Commissioner Wuennenberg asked for information about future uses of Old Olive Street as to whom else could possibly put access onto this short drive. Ms. Henry replied that there is a utility substation located in this area, which has access off of Olive Street Road; the other parcels in this area are undeveloped but could be developed in the future.

Councilmember Fults noted the following issues identified by Staff that she feels should remain open:

- Access issues
- Number of uses
- Setbacks
- Lack of landscaping
- Lack of drainage
- Density

She then stated that the buildings have been moved to the south and asked if this meets the setback requirements. Ms. Nassif stated that the Petitioner amended the Preliminary Plan to meet the 30-foot landscape buffer requirement by moving the buildings to the south. But they are now proposing a 30-foot structure setback, which would put the buildings right up against the landscape buffer. It was further noted that the Petitioner has completely eliminated the landscape buffer to the south.

Councilmember Fults asked how the Petitioner has addressed the issue of density. Ms. Henry replied that the Petitioner was requesting the maximum F.A.R. for the “PC” District, which is .55. Ms. Henry provided an advisory comment to the Petitioner about the requested F.A.R. The Petitioner’s response was that the actual density for the site is .15, which is of relatively low density for a Planned Commercial Development. Ms. Nassif added that the Petitioner has been advised on several occasions that when this project gets to the Site Plan stage, they will have to meet the setbacks established

by the Planning Commission and City Council, meet the open space requirement, and park each use independently. The proposed quick-serve restaurant is a concern because this type of use requires 15 parking spaces/1,000 square feet. An Attachment A has not been written because the Preliminary Plan does not meet the City Code.

Councilmember Fults questioned whether a vote could be taken on this project since it does not meet City Code. City Attorney Heggie advised that eventually the City would develop legislation but it may not have the support of Staff, and the Planning Commission may vote to not recommend this to City Council. If negotiations with the Petitioner do not lead to a plan that Staff feels is in substantial conformity, then the Petitioner will still go forward to City Council with whatever recommendation is given from Planning Commission.

It was agreed that Staff would go forward with the issues as noted above by Councilmember Fults.

## **IX. NEW BUSINESS**

Commissioner Lueking advised that Commissioner Midgley will be attending the next Architectural Review Board meeting in her stead.

Ms. Nassif asked that the Commissioners email their availability to her in order to schedule a Planning Commission training session in February.

## **X. COMMITTEE REPORTS - None**

## **XI. ADJOURNMENT**

The meeting adjourned at 9:42 p.m.

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Steve Wuennenberg, Secretary