PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
DECEMBER 14, 2009

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

I. ROLL CALL

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

Mayor John Nations
Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Annissa McCaskill-Clay, Lead Senior Planner
Ms. Susan Mueller, Principal Engineer
Mr. Kristian Corbin, Project Planner
Mr. Shawn Seymour, Project Planner
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 Councilmember Bruce Geiger, Ward II.

IV. PUBLIC HEARINGS – Commissioner Watson read the "Opening Comments" for the Public Hearings.

A. **P.Z. 15-2009 Chesterfield Airport Commerce Park (Insituform Technologies Inc.):** A request for a change of zoning from "PC" Planned Commercial District and "PI" Planned Industrial District to a new "PI" Planned Industrial District for two tracts of land located at 17970 Chesterfield Airport Road and 609 Cepi Drive (17v240153 and 17v240331).

STAFF PRESENTATION:

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

- All Public Hearing notification requirements have been met.
- The site has two parcels – one has frontage off of Chesterfield Airport Road and is part of the Chesterfield Airport Commerce Park subdivision; the other parcel has frontage off of Cepi Drive and is part of Chesterfield Executive Park. Both parcels are owned by Insituform Technologies.
- Site History

  17970 Chesterfield Airport Road
  - The site was zoned "M3" Planned Industrial District prior to the incorporation of the City of Chesterfield.
  - In September 1998, the site was rezoned to "PC" Planned Commercial District via Ordinance 1455.
  - In May 2001, Ordinance 1741 amended Ordinance 1455 for building requirements.

  609 Cepi Drive
  - The site was zoned "M3" Planned Industrial District prior to the incorporation of the City of Chesterfield.
  - In January 2001, the site was rezoned to "PI" Planned Industrial District.
- Requested Uses

  (1) Administrative office for education or religious facility
  (3) Animal Grooming service
  (4) Arena and stadium
  (5) Automatic vending facility
  (6) Automotive detailing shop
  (7) Automotive retail supply
  (8) Bakery
  (9) Bar
  (12) Boat (and marine supply) storage, charter, repair, sale
  (14) Brewpub
  (15) Broadcasting studio
  (16) Cafeteria for employees and guest only
  (18) Car wash, industrial
  (19) Car wash, self-service
  (21) Church and other place of worship
  (22) Club

(23) Commercial service facility
(25) Cultivation and sale of plant crops, commercial vegetable and flower gardening as well as plant nurseries and greenhouses
(26) Day care center, adult
(27) Day care center, child
(30) Dry cleaning establishment
(31) Dry cleaning establishment, drive-thru
(32) Dry cleaning plant
(34) Educational facility--Specialized private schools
(35) Education facility--Vocational school
(36) Educational facility--Vocational school, outdoor training
(40) Filling station and convenience store with pump stations
(41) Film drop-off and pick-up station
(42) Film processing plant
(43) Financial institution
(44) Financial institution, drive-thru
(46) Gymnasium
(49) Highway department garage
(52) Industrial sales, service, and storage
(56) Laboratories-professional, scientific
(59) Local public utility facility
(60) Local public utility facility--Over sixty (60) feet in height
(62) Lumberyard
(63) Mail order sale warehouse
(64) Manufacturing, fabrication, assembly, processing, or packaging facility
(65) Meat packing facility
(66) Office, dental
(67) Office, general
(68) Office, medical
(69) Oil change facility
(71) Parking area, including garages, for automobiles
(73) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility
(74) Professional and technical service facility
(75) Public safety facility
(77) Research facility
(78) Restaurant, fast food
(79) Restaurant, take out
(80) Restaurant, with drive-thru window
(83) Satellite dish
(93) Storage and repair garage for public mass transit vehicles
(97) Telecommunications structure
(98) Telecommunication tower or facility
(102) Trucks, trailers, construction equipment, agricultural equipment sales, rental, leasing, outdoor storage

(103) Union halls and hiring halls
(104) Vehicle repair and services facility
(105) Veterinary clinic
(106) Warehouse—General
(109) Yard for storage of contractors' equipment, materials, and supplies

- The Comprehensive Land Use Plan designates the site as *Service/Business Park*. By definition, this is a *conceptual land use category, which should be developed for the use needing more intensive warehousing and manufacturing.* The uses would be similar to the types of development associated with Spirit of St. Louis Airport.
- Issues Under Review by Staff
  - The list of proposed uses as compared to the Comprehensive Land Use Plan Category.
  - The current Preliminary Plan does not meet the City's Access Management guidelines.

PETITIONER'S PRESENTATION:

Mr. George Stock, Stock & Associates Consulting Engineers – representing Insituform, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:

- The southern tract was rezoned from "M3" to "PI" under Ordinance 1707; the northern tract, fronting Chesterfield Airport Road, is governed under Ordinance 1741.Both plans were approved with the intent of developing a four-story office building for Insituform.
- Insituform currently occupies a number of buildings to the south and to the west of the subject site. Insituform no longer intends to develop the subject property and is interested in selling it.
- The two Ordinances governing the property are very restrictive relative to the use, the setbacks, and the building type that can be constructed. The Petitioner is requesting flexibility under a combined Planned Industrial District ordinance to allow for a number of uses.
- The Petitioner envisions the site as a "business service park" consistent with the Comprehensive Plan. They Petitioner also intends to follow the City's Access Management guidelines for the park.
- The intent is to either subdivide the property or sell it as one whole piece with smaller, multiple buildings on the property in accordance with the "PI" District.

Chair Hirsch asked the Petitioner to review the number of uses being requested, along with the appropriateness of the uses compared to the surrounding "PI" sites, and sensitivity as to what may be allowed on Chesterfield Airport Road – such as *open storage of equipment*. Mr. Stock indicated that they would work with Staff in this regard.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

1. Uses
    - Review the number of uses being requested
    - Review the appropriateness and location of uses with respect to the northern parcel vs. the southern parcel recognizing that some uses may not be appropriate on Chesterfield Airport Road.
    - Review the uses in the surrounding "PI" Districts
2. Access management

Ms. Aimee Nassif, Director of Planning & Development Services, pointed out that this was Mr. Corbin's first presentation of a Public Hearing. The Commission then commended him on a job well-done.

B. P.Z. 16-2009 17526, 17550, & 17536 Chesterfield Airport Road (St. Louis Family Church): A request for a change of zoning from a "C8" Planned Commercial District to a "PI" Planned Industrial District for a 8.318 acre tract of land located on the south side of Chesterfield Airport Road, east of the Chesterfield Airport Road and Long Road intersection (17U140131, 17U140102, & 17U140405).

STAFF PRESENTATION:

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

- Public Hearing requirements for the both the State of Missouri and City of Chesterfield were met.
- The farthest west portion of the site, known as the Vermeer tract, is the only portion of the site that has been improved.
- Site History

  17550 Chesterfield Airport Road (Vermeer Tract)
    - The Vermeer tract was zoned "C4" Highway Service Commercial District by St. Louis County in 1983.
    - The site was then zoned "C8" Planned Commercial District by the City of Chesterfield in 1997.

  17526 Chesterfield Airport Road (Property furthest to the east)
    - The site was zoned "C8" Planned Commercial District by St. Louis County in 1984.
    - The "C8" Planned Commercial District was amended in 1989 to include the adjacent property, 17536 Chesterfield Airport Road, which was previously zoned "NU" Non Urban District.

- Requested Permitted Uses
  - (21) Church and other place of worship
  - (34) Educational facility – specialized private school
  - (38) Fairground
  - (67) Office, general
  - (70) Park
  - (71) Parking Area
  - (104) Vehicle repair and services facility
- Because of concerns raised with two of the uses, the Petitioner has agreed to the following modified language:
  - *(104) Vehicle repair and services facility to be utilized for repairing and serving vehicles owned and/or operated by St. Louis Family Church or its affiliate, Service International.*
  - *(38) Fairground to be utilized by St. Louis Family Church or its affiliate, Service International.*
- Currently, there are no major improvements proposed for the site but the Preliminary Plan shows a curb cut onto Chesterfield Airport Road and cross access to the St. Louis Family Church property immediately to the east.
- The Comprehensive Land Use Plan designates the site as *Mixed Use* to be utilized for *retail/office/warehouse of a low to mid-density.*
- Staff has no issues under review at this time.

PETITIONER'S PRESENTATION:

Mr. Mike Doster, Attorney representing St. Louis Family Church, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:

- Service International is a 501(c)(3) organization that was started by Pastor Jeff Perry in 1985, which has become a worldwide disaster relief and recovery organization.
- The Church was organized by Pastor Jeff Perry in 1988 and moved to Chesterfield Valley in 1993. After the flood of 1993, the Church and Service International began acquiring properties and buildings to establish a permanent presence in Chesterfield and to accommodate the growth of the Church and Service International. The Church currently has between 5,000-6,000 regular attendees and continues to grow, along with Service International.
- To accommodate this growth, a Master Church Campus Plan is being developed which requires additional property. Currently, the Church has the opportunity to acquire the Vermeer property and it is under contract subject to contingency – one of which is the approval of this zoning request
- The Petitioner is requesting "PI" zoning for the subject property under the new "PI" zoning category. The existing campus will remain under the old "PI" zoning for the time-being. When the Church moves forward with a Master Plan, they will seek a single zoning for the entire Church campus under the new "PI" ordinance.

- They are not requesting any variances or modification of standards under the current request.
- It is anticipated that existing building on the site will not remain after the Master Plan is approved by the City. However, until that time, they will make use of the building to service the fleet of vehicles owned by Service International and the Church.
- In order to meet the requirements under the contract with Vermeer, the Petitioner needs to move forward as quickly as possible with the approval of the uses being requested. The Petitioner accepts the modified language outlined above for the uses relative to *Fairground* and *Vehicle repair and services facility***.**
- The Petitioner is requesting that the Commission vote on the petition this evening and forward onto City Council.

DISCUSSION

Fleet of vehicles

Mr. Doster clarified that the fleet of vehicles includes trucks and automobiles. The trucks are used to haul supplies and equipment to sites around the country that require disaster relief and recovery operations. It was noted that the site has approximately no more than 15 fleet vehicles on site at any one time. The vehicles vary in size to accommodate the equipment and materials that are required for disaster relief and recovery operations. The existing equipment is parked behind the building so that they are not visible from Chesterfield Airport Road or from Edison Road.

Fairground use

Mr. Doster stated that the Church holds fairground activities periodically on its property for Church attendees. It is not the Church's intention to open up such activities to the general public and charge admission.

Ms. Nassif added that Staff had a pre-application meeting with Mr. Doster and the new uses were reviewed. The *fairground* use is an appropriate use for the site. Such activities as church fairs and special events during the holidays fall under the *fairground* category and are not specified under *Church* use.

Councilmember Fults questioned whether the *fairground* and *vehicle repair and services facility* uses should be utilized by St. Louis Family Church as ancillary or temporary uses on the site in an effort to keep them from becoming primary uses by a possible future property owner.

Ms. Nassif responded that such uses could not be designated as ancillary uses because the site is currently vacant – she pointed out that the modified language specifies that these uses can only be used by St. Louis Family Church or its affiliate, Service International. If the property would come under new ownership, an ordinance amendment would have to be approved to remove this restriction before those uses could be permitted.

Mr. Doster felt that the proposed modified language addresses Councilmember Fults' concerns – he has concerns about adding language such as *temporary*, as such a term is not clearly defined.

Commissioner Watson had concerns about a fairground or soccer field fronting on Chesterfield Airport Road, considering the amount of traffic it would generate coming in and out. Mr. Doster stated that there is a soccer field on the property already and is being used for Church purposes only.

Chair Hirsch noted that the activities defined under *fairground* use are not activities defined under *Church* use so if the *fairground* use is not allowed, the Church could be in violation when conducting such activities. Ms. Nassif added out that such events require a Special Activity Permit, which is reviewed by Staff for safety and traffic, etc.

Landscaping and Site Plan Requirements

Noting that the property owner is a church, Commissioner Geckeler asked whether they still are required to meet all landscape and site plan requirements. Ms. Nassif replied that the Church must still go through the City's normal process and adhere to all its requirements.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

1. Uses – the modified uses were noted as follows:
   (105) Vehicle repair and services facility to be utilized for repairing and serving vehicles owned and/or operated by St. Louis Family Church or its affiliate, Service International.
   (39) Fairground to be utilized by St. Louis Family Church or its affiliate, Service International.

   Mr. Seymour noted that if the property was sold, an ordinance amendment would be required to include these uses.
2. Added travel to and from the site in connection with the *fairground* use. Mr. Seymour stated that the site is adjacent to the Church site, which has access to both Chesterfield Airport Road and Edison Road. The subject property will be granted an additional access point of a great distance west of the existing Church site point of access along Chesterfield Airport Road. Cross access will be granted between the two sites to provide for internal circulation.

3.

C. <u>T.S.P. 17-2009 AT&T (Drew Station, 1662 Clarkson Rd):</u> A request to obtain approval for a Telecommunication Siting Permit for the purpose of removing existing antennas, replacing them with a different antenna type and the addition of more equipment on the building at 1662 Clarkson Road in the C8-zoned Drew Station Shopping center (19S420394)

STAFF PRESENTATION:

<u>Ms. Annissa McCaskill-Clay</u>, Lead Project Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. McCaskill-Clay stated the following:

- All Public Hearing notification requirements by City policy and State statutes were met.
- <u>Site History</u>
  - The site was zoned "C8" Planned Commercial by the City of Chesterfield in 1989.
  - The installation of a roof-top antenna and equipment room were approved administratively by the City in February 2001.
- <u>Petitioner's Request</u>
  - Removal of three (3) existing rooftop antennas.
  - Relocation of three (3) disguised antennas to be placed flush to the shopping center wall.
  - Placement of additional equipment in the existing equipment room.
- Staff has no issues currently under review.

PETITIONER'S PRESENTATION:

<u>Mr. Matthew Jurson,</u> representing AT&T, 30150 Telegraph Road, Michigan presented a PowerPoint presentation showing pictures of the site and depicting the antennas and equipment. Mr. Jurson stated the following:

- AT&T has been working in the St. Louis area for some time and on the subject site for the past few months.
- The request is for a modification of an existing site, which was built in 2001.
- <u>Scope of Work</u>
  - Remove and replace three (3) existing rooftop omni antennas with six (6) stealth panel antennas. The antennas would be mounted flush to the building wall and painted to match existing brick color and pattern.
  - Six (6) TMAs (small amplifiers about the size of a shoe box) to be mounted inside the parapet wall behind the antennas. The amplifiers would not be visible from outside the building.
  - Remove and replace existing equipment cabinet with the new technology. The equipment cabinet is inside the fully-screened equipment room and concealed by the existing brick wall near the rear of the building.

- The proposed modifications will bring the site into the most current technology – the AT&T 3G Network, which:
  - Replaces 2G technology, which has been used since 2003;
  - Provides a wider range of advanced data services, better voice quality, and higher data rates; and
  - Currently covers 233 million people or 75% of the population.
- Speaker noted the importance of Wireless, as follows:
  - 86% of US population owns a wireless phone;
  - 17% of households use only a wireless phone (no land line); and
  - More than 50% of 911 calls in the United States are made from wireless phones.
- Speaker noted that the power levels are dictated by the FCC. A pre-emission study has been conducted and a post-emission study will be performed once installation is complete.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

Commissioner Watson read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the November 23, 2009 Planning Commission Meeting. The motion was seconded by Commissioner Watson and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. 68 Chesterfield Lakes Rd. (Chesterfield Lakes Subdivision): A request for a residential addition for a freestanding garage on a parcel zoned "NU" Non-Urban District and located at 68 Chesterfield Lakes Dr., in the Chesterfield Lakes Subdivision.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the residential addition for a freestanding garage for 68 Chesterfield Lakes Rd. (Chesterfield Lakes Subdivision. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 8 to 0**.

B. **AT&T Olive Subdivision, Lot 1 (Valvoline Instant Oil Change)** Amended Architectural Elevations for a vehicle service center located on a 0.46 acre lot of land zoned "C-8" Planned Commercial District, located at the northwest corner of Olive Boulevard and Woodchase Lane.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Amended Architectural Elevations for AT&T Olive Subdivision, Lot 1 (Valvoline Instant Oil Change). The motion was seconded by Commissioner Watson and **passed by a voice vote of 8 to 0**.

C. **AT&T Olive Subdivision, Lot 1 (Valvoline Instant Oil Change)**: A request for a free standing sign to exceed six (6) feet in height, with the bottom of the sign face to exceed three (3) feet in height located on a 0.46 acre lot of land zoned "C-8" Planned Commercial District located at the northwest corner of Olive Boulevard and Woodchase Lane.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the request for a free standing sign for AT&T Olive Subdivision, Lot 1 (Valvoline Instant Oil Change). The motion was seconded by Commissioner Grissom and **passed by a voice vote of 8 to 0**.

VIII. OLD BUSINESS

A. **P.Z. 16-2009 17526, 17550, & 17536 Chesterfield Airport Road (St. Louis Family Church):** A request for a change of zoning from a "C8" Planned Commercial District to a "PI" Planned Industrial District for a 8.318 acre tract of land located on the south side of Chesterfield Airport Road, east of the Chesterfield Airport Road and Long Road intersection (17U140131, 17U140102, & 17U140405).

Project Planner Shawn Seymour stated that the items of concerns have been addressed in the earlier presentation.

Commissioner Grissom made a motion to approve P.Z. 16-2009 17526, 17550, & 17536 Chesterfield Airport Road (St. Louis Family Church) with the following amendment to Section I.A. of the Attachment A regarding "Permitted Uses" - (amendments shown in **bold):**

b. Fairground **to be utilized by St. Louis Family Church or its affiliate, Service International**.
f. Vehicle repair and services facility **to be utilized for repairing and serving vehicles owned and/or operated by St. Louis Family Church or its affiliate, Service International.**

The motion was seconded by Commissioner Banks.

DISCUSSION ON THE MOTION
Ms. Aimee Nassif, Planning & Development Services Director, recommended amending the *fairground* use as follows – amendment in **bold**:

b. Fairground to be utilized by St. Louis Family Church or its affiliate, Service International **in furtherance of their religious and charitable purposes**.

Commissioners Grissom and Banks accepted the above amendment to be included as part of the motion.

Upon roll call, the vote to approve with the amended Attachment A was as follows:

Aye: Commissioner Proctor, Commissioner Puyear, Commissioner Watson, Commissioner Banks, Commissioner Geckeler, Commissioner Grissom, Commissioner Nolan, Chairman Hirsch

Nay: None

The motion passed by a vote of 8 to 0.

IX. NEW BUSINESS

Chair Hirsch announced that the previously-scheduled December 28th Planning Commission meeting has been canceled.

X. COMMITTEE REPORTS

The Ordinance Review Committee is scheduled to meet **January 13th** at 3:00 p.m.

XI. ADJOURNMENT

The meeting adjourned at 8:00 p.m.

_____
Michael Watson, Secretary