

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
MEETING SUMMARY
DECEMBER 14, 2020**

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

I. ROLL CALL

PRESENT

Commissioner Allison Harris
Commissioner John Marino
Commissioner Gene Schenberg
Commissioner Jane Staniforth
Commissioner Guy Tilman
Commissioner Steven Wuennenberg
Chair Merrell Hansen

ABSENT

Commissioner Debbie Midgley
Commissioner Nathan Roach

Mayor Bob Nation
Councilmember Dan Hurt, Council Liaison
Mr. Nathan Bruns, representing City Attorney Christopher Graville
Mr. Mike Knight, Assistant City Planner
Ms. Annisa Kumerow, Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Hansen acknowledged the attendance of Mayor Bob Nation; Councilmember Dan Hurt, Council Liaison; Councilmember Barb McGuinness, Ward I; Councilmember Mary Monachella, Ward I; Councilmember Mary Ann Mastorakos, Ward II; and Councilmember Michael Moore, Ward III.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS - Commissioner Schenberg read the "Opening Comments" for the Public Hearings.

- A. P.Z. 09-2020 Total Access Urgent Care (13426 Olive Blvd):** A request for a change in zoning from a "C-8" Planned Commercial District to a "PC" Planned Commercial District for a 3.23 acre tract of land located south of Olive Boulevard, east of North Woods Mill Road (16Q330911).

STAFF PRESENTATION:

Planner Annisa Kumerow gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Kumerow also provided the following information about the subject site:

Request

The Applicant is requesting a sole use of *medical office* with a maximum building height of 30 ft. and operating hours of 8 a.m. – 8 p.m.

Zoning & Comprehensive Plan

The subject site is zoned “C-8” Planned Commercial and is primarily bordered by other commercial districts to the south and north with residential to the east. The land use designation is *Neighborhood Center*. Primary uses for *neighborhood center* include retail, residential, office, and institutional.

“PC” Planned Commercial District Regulations

The Unified Development Code has specific regulations for “PC” Planned Commercial Districts, which include the following:

- Density - 0.55 FAR;
- Open space - 35%;
- Setbacks - No structure may be within 35 ft of properties with a residential or park/recreation designation, and no parking may be within 25 ft of these residential or park/recreation areas.

The proposed development meets these requirements.

Unified Development Code

Landscaping: The Unified Development Code requires a 30-foot landscape buffer along arterial roadways, such as Olive Boulevard. *The applicant has requested a 10-foot landscape buffer in order to improve visibility for the building.*

Access Management: Staff will recommend language in the Attachment A stating that cross access shall be provided to adjacent parcels.

Proposed Setbacks: The proposed setbacks are shown below.

	Structure	Parking
Olive Blvd ROW	10'	25'
Eastern Boundary	35'	10'
Southern Boundary	35'	25'
Western Boundary	35'	10'

Ms. Kumerow pointed out that there is currently a lack of consistency in setbacks along Olive Boulevard, which impacts both access management as well as aesthetics. It was also noted that the front setback of 10 feet from Olive Boulevard is directly correlated with the request for a 10-foot landscape buffer vs. the required 30-foot buffer.

Comprehensive Plan Policies

Specific policies for *Neighborhood Center* include limiting curb cuts and including walkable connection points.

The Comprehensive Plan also includes overall goals for the City's vision, divided into five categories: development; residential; open space; transportation; and resiliency, along with applicable strategies.

Preliminary Plan:

The Preliminary Plan depicts development of a 4,616 GFA medical office along the northern property line with parking to the west and shows a 10-foot landscape buffer in lieu of the required 30-foot buffer.

The plan also shows utilization of the existing access into the site, along with Incarnate Word's existing playground on the southern portion of the site, which is to remain.

Discussion

During discussion, the following items were reviewed and clarified, as necessary:

Setbacks

The current structure setback for the existing Steak 'n Shake building is 35 feet from Olive Boulevard right-of-way; the Applicant is requesting a 10-foot setback vs. the City's required 30-foot setback.

Several Commissioners questioned the need for the reduced setback being requested by the Applicant.

Chair Hansen emphasized that this area of Olive is the entryway into the City, and that the Commission should take this into consideration when reviewing requests for redevelopment of sites in this area.

Commissioner Schenberg suggested that placing the building further back on the site would allow for more landscaping on the front; and if placed in the center of the site, it would allow for 360° traffic circulation. He also suggested that their tower could possibly be taller to add more visibility to the building. Commissioner Staniforth agreed with Commissioner Schenberg's comments. She added that as sites along Olive Boulevard are being updated, the Commission has the opportunity to make decisions that would enhance the development plan along Olive, which is currently very inconsistent with respect to setbacks.

Parking

Parking for *medical office* use has a minimum requirement of 4 spaces/1,000 sq. ft. and a maximum of 5 spaces/1,000 sq. ft. Currently, the Preliminary Plan shows the maximum number of parking spaces allowed per Code. Staff will review the parking to ensure that the specific number of parking spaces matches the City's code requirements.

PETITIONER'S PRESENTATION:

1. Dr. Matt Bruckel, Total Access Urgent Care, 13861 Manchester Road, Ballwin, MO

Dr. Bruckel stated that they are excited to have the opportunity to serve the residents of Chesterfield at the proposed location. He stressed the importance of "visibility" as they have had many situations where patients have had difficulty finding them in other locations that are set back off the road. He also noted that the building to the west of their site, Décor Jewelry, is right up on the road and they are asking for the same setback for their site, which they feel is "fair and reasonable".

He believes that the proposed new building of stone and glass will be an attractive addition to the site with lots of landscaping of plants and grass. He noted that their parking footprint is very small compared to the existing Steak 'n Shake site, and they intend to restore a large part of the parking lot back to green space.

Discussion

Building Height

Noting that the site has a maximum height of 30 feet, Commissioner Tilman inquired as to the height of the proposed building. Dr. Bruckel replied that the height of all of their buildings is less than 30 feet with a maximum height of 27 feet and 22 feet at the parapet.

Structure Setback

Commissioner Harris stated that she feels Décor Jewelry is too close to the street. She suggested that Total Access Urgent Care place their building further back on the site with a sign closer to the street to provide the visibility they are seeking. Commissioner Staniforth agreed that a monument sign could help identify the urgent care facility.

Mayor Nation pointed out that when Décor Jewelry was designed and built, it was under St. Louis County regulations. Commissioner Schenberg added that if the Décor Jewelry site is redeveloped in the future, any building will not be allowed to be as close to the road as it is now. Total Access Urgent Care is the first site to be redeveloped in this area, and their building will lead the way for all future development in this area with larger setbacks from the road.

Commissioner Wuennenberg pointed out that the Unified Development Code requires a 30-foot structure setback from the road for the requested PC district zoning, and indicated that he is comfortable with such a setback for this site.

2. Mr. John Schebaum, BFA, Inc., 103 Elm Street, Washington, MO

Mr. Schebaum stated that along with competing with Décor Jewelry for visibility on the west, they are also trying to maintain as much existing landscape as possible. To the east, there is a fairly large buffer between their site and the adjacent Incarnate Word site

so they are requesting a ten-foot parking setback to the east in order to retain this dense landscaping.

3. Mr. John Shuff, Pace Properties, 1401 South Brentwood Blvd., St. Louis, MO

Mr. Shuff stated that visibility is very important for a medical facility as every minute counts when saving lives.

He also noted that they are committed to keeping the existing playground on their site and are working with Incarnate Word Church on the best resolution with how this can be handled in terms of a tax write-off.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL:

1. Ms. Barb McGuinness, 95 River Bend Drive, Chesterfield, MO

Ms. McGuinness stated that she had previously expressed her concerns to Commissioner Schenberg who has related them in his comments.

She then asked for clarification on the structure setback from Olive Boulevard. Ms. Kumerow provided the following information:

- The existing setback for the Steak 'n Shake site is **35 feet** per the current governing ordinance.
- The City requires a minimum **30-foot landscape buffer** along arterial roadways, such as Olive.
- The Applicant is requesting a **10-foot setback**.

Ms. McGuinness also noted that she and Councilmember Monachella met with Mr. Shuff of Pace Properties and expressed their concerns that Total Access Urgent Care's request is replicating St. Louis County's zoning, which is not ideal. They have asked that the building be centered on the site and feel that the current request has the building too close to the road.

2. Ms. Mary Monachella, 14164 Trailtop Drive, Chesterfield, MO

Ms. Monachella noted her agreement with the comments previously made. She then pointed out that when the Décor Jewelry site was developed, Olive Boulevard was not as big as it currently is, so Décor Jewelry should not be used as a guide for redevelopment. She also noted that Décor Jewelry is a one-story building at the sidewalk level, so there is plenty of height to the Total Access building to be seen above Décor Jewelry.

She agreed with suggestions that the new building be moved more to the center of the site with the possibility of a taller tower to assist with the building's visibility.

Discussion

Dr. Bruckel asked for clarification on the zoning and public hearing process. Mr. Mike Knight, Assistant City Planner, explained that the purpose of the public hearing is to present the change of zoning request to the Commission and to give the public an opportunity to speak. When the petition is next presented, Staff will provide a draft Attachment A, which includes site-specific criteria for the Commission's consideration. A recommendation will be made and then forwarded to the Planning & Public Works Committee for review and recommendation to City Council, followed by two readings at City Council.

The site-specific criteria, including setbacks, will be established at the time the property is approved for rezoning.

Dr. Bruckel questioned whether they would be permitted to have the Planned Commercial district's standard 30-foot setback vs. being required to center the building on the site.

Commissioner Wuennenberg indicated that he would be satisfied with a 30-foot setback from Olive. He noted that it is the Commission's intent to get more consistency along the Olive Street corridor by getting buildings back from the roadway as sites come in for redevelopment.

Dr. Bruckel stated that they would be agreeable to changing their request from a ten-foot setback to a 30-foot setback. He stated that they want to be "great neighbors and blend into the community, but don't want to be hidden". If they are required to set back more than 30 feet, they may have to reconsider whether to remain with the subject site, or move elsewhere.

- B. P.Z. 11-2020 The Residences at Hog Hollow (13987 & 14001 Olive Blvd):** A request to repeal City of Chesterfield Ordinance 2213 establishing a Planned Environmental Unit over two parcels of land zoned R-3 Residence District and totaling 29.4 acres (16R340207 & 16R340151).

STAFF PRESENTATION:

Planner Annisa Kumerow gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Kumerow also provided the following information about the subject site:

History

The site was zoned "R2" Residence District with a Conditional Use Permit by St. Louis County prior to the City's incorporation. In 2005, the site was rezoned to an "R-3" Residence District with a "PEU" Planned Environment Unit Procedure. Subsequently, a request to amend the ordinance was submitted in 2013, followed by two requests for zoning map amendments in 2014; however, these requests were all withdrawn by the applicant with no further action taken. Finally, a request to repeal the "PEU" and replace it with a "PUD" Planned Unit Development was submitted in 2019 but withdrawn prior to being presented to City Council.

Zoning and Comprehensive Plan

The subject site is zoned “R-3” Residence District with a “PEU” Planned Environment Unit Procedure. It is located within the *Suburban Neighborhood* land use designation, and is primarily surrounded by other *suburban neighborhood*-designated areas, with *neighborhood center* to the south. The primary land use for *suburban neighborhood* is single-family residential.

- C. **P.Z. 12-2020 The Residences at Hog Hollow (14001 Olive Blvd)**: a request for a change in zoning from R-3 Residence District to PUD Planned Unit Development for a maximum of 100 residential units (16R340151).

STAFF PRESENTATION:

Planner Annisa Kumerow gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Kumerow also provided the following information about the subject site:

“PUD” Planned Unit District Regulations

The purpose of the PUD district is to encourage flexibility to the density requirements and development standards of the governing ordinance that will result in exceptional design, appropriate land use, provision of streets, and the preservation of natural open space.

The minimum design requirements include: meeting the maximum residential density of the existing district; 30% open space; a 30-foot perimeter buffer; and consistency with the Comprehensive Plan and the Unified Development Code.

The Unified Development Code also lists 12 Design Features suggested to be used by developers when applying for PUD District zoning.

Comprehensive Plan

The Comprehensive Plan has several policies for the *Suburban Neighborhood* applicable to this property, which include the preservation of existing neighborhoods, reinforcing existing residential development matters through high quality design, and uncovering anticipated expense of residential development.

The Comprehensive Plan also includes overall goals, separated into five categories: development; residential; open space; transportation; and resiliency, along with applicable strategies.

Preliminary Plan

The petitioner is requesting a maximum of 100 residential units, consisting of 52 residential lots (single-family detached, and single-family attached) and 48 multi-family units. All streets are proposed to be public.

The Preliminary Plan shows a pedestrian connection to Olive Boulevard and to the neighboring Eagle Ridge subdivision. The fire access drive between the proposed development and Eagle Ridge subdivision will be gated and private.

Streets trees and 30-foot landscape buffers are provided in association with this request. At the public hearing for the previous petition submitted in 2019, there was concern regarding the topography of the land. While grading is required for this project, the applicant is proposing to use the developable areas to the greatest extent possible while preserving the northern and western areas of the site. The sloped nature of the development will be a reflection of the original topography.

Storm water detention and water quality bioretention areas are proposed for the site. Amenities include a gravel trail around the perimeter of the site, and two pocket parks.

PETITIONER'S PRESENTATION:

1. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO

Mr. Stock stated that they are requesting a Planned Unit Development (PUD) for the 29.4-acre property to include 52 residential lots as single family-detached and single family-attached homes/villas/townhomes, and 48 three-story condominiums. The plan provides transition between single-family residential subdivisions to the west and commercial to the south.

The proposed project meets both the *General Requirements* and *Minimum Design Requirements* to be considered for a PUD.

Mr. Stock then identified the *Project Design Features* that the site will provide, as suggested to be used by developers when applying for PUD District zoning.

1. Placement of structures on most suitable sites with consideration of maintaining existing site topography, soils, vegetation, slope, etc.
The project is centrally located within the site to buffer from Olive Boulevard, and maintains as much of the existing site topography along the north and west sides as practical.
2. Preservation of natural and cultural areas, as well as the creation of open space through active and passive recreation areas to include greenways, landscape gardens, plazas, and walking and cycling trails that serve to connect significant areas and various land uses.
Common ground of 14.6 acres is provided, which equates to approximately 49% of the site. The perimeter landscape buffer is a minimum of 30 feet on both the east and west property lines.
3. Preservation of existing mature trees and trees deemed extraordinary by the City of Chesterfield Tree Specialist.
As indicated on the Tree Stand Delineation, trees especially valuable to the site are those located along the north-facing slope, which will be maintained along with a 30% minimum tree canopy.
4. Enhanced landscaping, deeper and opaque buffers, and increased planting along public rights-of-way, open space/recreational areas, and the overall perimeter to protect and ensure compatibility with adjacent land uses.
Large buffers exist to the north and west protecting the development from Hog Hollow Road, the railroad, the airport, and the Missouri-America water plant, all

of which are located within the City of Maryland Heights. The proposed grading creates a berm between the subject site and Eagle Ridge subdivision. A hiking trail is proposed around the perimeter of the site, as well as within interior common ground areas.

5. Utilization of mixed-use buildings.
This petition includes a request to allow single-family residential as attached homes, detached homes, and condominiums.
6. Utilization of traditional neighborhood design (TND) techniques in the layout and spatial organization of the development.
The site includes a grid-type layout, rectangular-shaped lots, community recreation areas, playground, and hiking/fitness trails.
7. Segregation of vehicular traffic from pedestrian/bicycle circulation networks, and other traffic mitigation measures.
Sidewalks will be provided along both sides of the internal public streets and connected to the trail.
8. Inclusion of community facilities and the access thereto.
Community facilities have been added in the form of nature trail, fitness equipment, play equipment, and benches.

Notable Features

- One proposed access off of Olive Boulevard, to the east of the existing curb cut.
- The internal streets are proposed as public streets.
- Pedestrian connection to Olive Boulevard and the neighboring Eagle Ridge subdivision.
- Street trees and 30-foot landscape buffers along the perimeter of the site.
- Storm water detention and water quality bioretention areas.
- Two pocket parks with associated amenities:
 - Playground equipment
 - Fitness circuits
 - Native tree identification signage
 - Eagle-watching binoculars
 - Natural stone seating
 - Pet waste station

Mr. Stock reported that they have met with the trustees of the Eagle Ridge subdivision, and they are generally supportive of the project. They have also met with the owners of the abutting property, Suburban Leisure, who have requested a privacy fence along their property line. The petitioners have not yet had the opportunity to meet with the property owner of 13987 Olive Boulevard, but he is aware of their petition and was supportive of the prior petition submitted in 2019, which is very similar to the current request.

Discussion

Access

Regarding the property on the southeast corner, Commissioner Wuennenberg asked if that property would have access to the main drive. Mr. Stock replied that the site would have access to the public street.

Traffic/Olive Blvd. Median

Commissioner Harris expressed concern about how the proposed development would impact the traffic along Olive. Commissioner Marino asked that Mr. Stock provide statistics on the number of vehicles per resident to get an idea of how traffic will be affected.

Regarding traffic concerns, Mr. Stock replied that MoDOT has given their approval to the access drive, but stated that a traffic signal will not be provided at this location.

Eagle Ridge subdivision has suggested that the subject site include a three-lane section of street in order to have a right-turn lane and a left-turn lane, which would provide a widened section at Olive.

Eagle Ridge has also pointed out that the nose of the median at Olive is very close to their street, which causes an inability for a motorist to make a left turn out of the subdivision and go eastbound. Commissioner Tilman reported that there are imminent plans to resurface Olive from Clarkson to I-270, so if a change to the median is desired, it should be investigated now.

Transition/Rental Units

Commissioner Harris asked the following questions:

- Why do they consider the project to be a transition to Suburban Leisure?
- Are any of the units to be rental property?

Regarding transitional, Mr. Stock stated that there is R-1 with larger lot subdivisions to the east going to an R-2 zoning as it continues to the west abutting the subject site zoned R-3 with mixed-housing, and eventually to the commercial.

Regarding rental property, they intend to deed-restrict the property to preclude apartments on the site.

Retention Area

Commissioner Tilman requested additional information regarding the retention area near the railroad tracks. Mr. Stock explained that it is a modification of an existing dry conveyance channel.

Chair Hansen asked that the retention area be responsibly addressed so that it doesn't become a burden to the neighborhood.

Amenities

Chair Hansen noted that all of the proposed features for the site are located on the perimeters, and hoped that some of the interest and character could be brought into the development as a whole.

Commissioner Harris commented that this part of Olive "suffers from old, tired development" and this property, as a PUD, "needs to show itself as something outstanding".

SPEAKERS IN FAVOR:

1. Mr. Scott Keymer, owner of Suburban Leisure, 15526 Clover Ridge Drive, Chesterfield, MO.

Mr. Keymer stated that they are in favor of the proposed development but have concerns about safety. They are requesting a vinyl fence along their eastern and rear borders as these areas include their parking, a dumpster, and delivery area for large trucks. They also have a propane dispensing station, which raises safety issues with respect to keeping children and pets out of this area.

Mr. Keymer also pointed out that some of the pine trees on the eastern side of their property were planted underneath power lines and Ameren has topped them. A couple of these trees should be removed and replaced as there have been issues with trees blowing down and branches landing on cars.

Discussion

Commissioner Schenberg asked if there are any regulatory concerns as to how close a residential unit can be built next to a propane dispensing station. Mr. Keymer stated that he would investigate this issue with their propane supplier.

In connection to the fence being proposed, Councilmember Hurt asked that sight lines be reviewed at the access point.

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL:

1. Ms. Barb McGuinness, 95 River Bend Drive, Chesterfield, MO

Ms. McGuinness pointed out that possible rental units on the subject site is a big concern to the residents, and she trusts that deed restrictions will be placed on the property to preclude rental units.

REBUTTAL:

Mr. Stock noted the following:

- The proposed fence will not extend all the way to Olive so sight lines should not be impacted.
- The bio-retention basins are considered architectural features and will be landscaped as such.
- The ditch swale is in reclaimed floodway. It will be graded and vegetated with grasses to be as maintenance-free as possible.
- Any damaged trees will be removed and replaced.
- They will investigate any safety issues with respect to the propane dispensing station.

ISSUES

1. Traffic – number of cars per lot; any creative ways to address the traffic such as a three-lane section
2. Multi-family units per code – Applicant is proposing condominiums
3. Median on Olive
4. Amenities located only on the perimeters of the site

5. Needs to be a high-quality development
6. Fence along Suburban Leisure's property line
7. Safety concerns with propane tanks
8. Damaged trees
9. Bioretention areas and how they will be landscaped
10. Possible sight distance issues in connection with the requested fence

V. APPROVAL OF MEETING SUMMARY

Commissioner Marino made a motion to approve the Meeting Summary of the November 23, 2020 Planning Commission Meeting. The motion was seconded by Commissioner Schenberg.

Upon roll call, the vote was as follows:

**Aye: Commissioner Harris, Commissioner Marino,
Commissioner Schenberg, Commissioner Staniforth,
Commissioner Tilman, Commissioner Wuennenberg,
Chair Hansen**

Nay: None

The motion passed by a vote of 7 to 0.

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. UNFINISHED BUSINESS - None

IX. NEW BUSINESS

A. Electronic Message Centers - Discussion

Commissioner Wuennenberg pointed out that the brightness level of the Electronic Message Center (EMC) at The District development is overly-bright to the extent that it lights up the parking lot and highway. He recommended that the night brightness level of EMCs be reviewed and clarified.

After a brief discussion, Staff was directed to review the City's regulations regarding brightness levels of Electronic Message Centers compared to standard industry levels.

B. Other

Commissioner Schenberg announced his intention to run for City Council, Ward I in the upcoming municipal election.

X. COMMITTEE REPORTS – None

XI. ADJOURNMENT

The meeting adjourned at 9:10 p.m.

Gene Schenberg, Secretary