PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
FEBRUARY 12, 2007

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

I. PRESENT **ABSENT**

Mr. David Asmus
Mr. David Banks
Mr. Fred Broemmer
Ms. Wendy Geckeler
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Gene Schenberg
Ms. Victoria Sherman
Chairman Maurice L. Hirsch, Jr.

Mayor John Nations
Councilmember Mary Brown, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Ms. Libbey Simpson, Assistant City Administrator
for Economic & Community Development
Mr. Mike Geisel, Acting Director of Planning
Ms. Aimee Nassif, Senior Planner
Ms. Jennifer Yackley, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner O'Connor

III. PLEDGE OF ALLEGIANCE – All

Chair Hirsch acknowledged the attendance of Mayor John Nations; Councilmember Mary Brown, Council Liaison; Councilmember Connie Fults, Ward IV; and City Administrator Mike Herring.

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

A. P.Z. 4-2007 Butler Investment Partnership, LP (Saturn of West County): A request for an amendment to City of Chesterfield Ordinance 2099 to allow for two additional permitted uses for a 15.01 acre "PC" Planned Commercial District located north of Chesterfield Airport Road and west of Long Road at 91 Long Road, 706 Long Road, 707 Long Road and 750 Long Road.

Project Planner Jennifer Yackley gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Yackley stated the following:

- The Petitioner is requesting the following two uses:
  - (kk) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
  - (ll) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry and agriculture.
- The subject site is the northern part of Long Road Crossing at the intersection of Long Road and Chesterfield Airport Road and just north of Walgreen's.
- The Comprehensive Land Use Plan indicates the subject parcel as "Mixed Commercial Use".
- Departmental Issues:
  1. Awaiting agency comments from the Public Works Department and St. Louis County.
  2. The amended Attachment A will include the updated criteria for commercial developments.

PETITIONER'S PRESENTATION:

1. Mr. Chris Kehr, representing Butler Investment Partnership, 11141 Clayton Road, St. Louis, MO stated the following:
   - They are only requesting use (kk); use (ll) is not being requested.
   - There is a time constraint in that the requested use by the Saturn dealership is based upon the closing of the current dealership at 141 and Manchester Road.
   - They are interested in locating in Chesterfield Valley and feel the dealership would be a great addition to the area.
   - The proposed building is for a one-story, 19,000 square-foot Saturn dealership on 5.3 acres. The current proposed use is for a five-story, 89,000 sq. ft. hotel.
   - Saturn proposes to locate its building in the northwest corner of the site with the front of the building facing U.S. 40/64.
   - The site would have about 31% open space with significant landscaping on all four sides to buffer the car lot. The site would include parking islands with no more than 10 spaces in-between – all being landscaped and irrigated.

- The Petitioner proposes amending use (kk) as follows:
  Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, ~~trailers, construction equipment, agricultural equipment, and boats,~~ as well as associated repairs and necessary outdoor storage of said vehicles.
- The current Zoning Ordinance allows the sale of automobiles, but it is limited to indoor sales.
- Saturn's intent is to bring a quality building and business to the Chesterfield area. Saturn's prototype building is proposed for the site with some flexibility in the design.

2. Ms. Jackie Dunne, Owner, Saturn of West County, 17915 Pond Bridge Road, Chesterfield, MO was available for questions:

3. Mr. Paul Boyer, 11402 Gravois Road, #100, St. Louis, MO was available for questions.

4. Mr. Michael E. Bauer, President, Bauer & Associates Architects, Inc. 12412 Powerscourt, St. Louis, MO was available for questions.

Responding to questions from the Commission, Mr. Kehr or Ms. Dunne stated the following:

- **Regarding a body shop on site:** There will not be a body shop at the subject site. There will be a service department on-site. Customers' vehicles would be towed to the South County location for body work. Commissioner Banks expressed concern about having wrecked cars sitting on the lot waiting for repairs. He noted that the current language would allow this.
- **Regarding static displays:** A typical Saturn dealership keeps 4-5 cars on display outside in front of the building with the majority of the inventory being stored outside toward the rear of the building.
- **Regarding repair of vehicles:** All vehicles would be repaired indoors in the Service Department at the rear of the facility. The Service Department is not visible from the front of the building – customers would enter the front of the building to a service reception area.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Does the current zoning ordinance allow the indoor sale of motor vehicles? Ms. Yackley stated that the indoor sale of motor vehicles is included in the use of general retail.

2. Clarify the uses – delete use (ll) from the request.
3. Amend use (kk) per the Petitioner's statement.
4. Should "body shop" be specifically excluded in the Attachment A?
5. Address language in the Attachment A that would allow the storage of vehicles for repair.
6. When was the current Ordinance approved? Ms. Yackley stated that it passed June 7, 2004.
7. Provide the entire list of uses as approved, along with the changes proposed.
8. Provide comments from the Department of Public Works regarding how the proposed use will affect traffic/safety on Chesterfield Airport Road.
9. What are the open space requirements for the proposed use? Ms. Yackley stated that the open space is not defined by use; the open space for this site, per the governing ordinance, is 30%. They comply with the requirement.

B. P.Z. 05-2007 Chesterfield Corporate Center (18199 and 18299 Chesterfield Airport Road): A request for a change of zoning from "M3" Planned Industrial to "PC" Planned Commercial District for 32.2 acre tract of land located north of Chesterfield Airport Road, east of Spirit of St. Louis Boulevard. (17V420047)

Ms. Aimee Nassif, Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Nassif stated the following:

- Staff has worked with the Petitioner regarding the proposed uses – the proposed uses are as follows with those being removed, or amended, as noted:
  a. Animal hospitals, veterinary clinics, and kennels.
  b. Arenas and stadiums. **(removed)**
  c. Associated work and storage areas required by a business, firm, or service to carry on business operations.
  d. Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
  e. Automatic vending facilities for: **(ancillary)**
     - Ice and solid carbon dioxide (dry ice);
     - Beverages;
     - Confections.
  f. Barber shops and beauty parlors.
  g. Bookstores.
  h. Broadcasting studios for radio and television. **(removed)**
  i. Cafeterias for employees and guests only.
  j. Child care centers, nursery schools, and day nurseries.
  k. Colleges and universities.
  l. Dry cleaning drop-off and pick-up stations.
  m. Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours. **(limit to 1, southern lots)**
  n. Film drop-off and pick-up stations.

o. Fishing tackle and bait shops. Open storage and display are prohibited. **(removed)**
p. Financial Institutions.
q. Hospitals.
r. Hotels and Motels.
s. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles.
t. Medical and dental offices.
u. Offices or office buildings.
v. Outdoor advertising signs. **(removed)**
w. Outpatient substance abuse treatment facilities. **(removed)**
x. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
y. Police, fire and postal stations.
z. Public utility facilities.
aa. Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters.
bb. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
cc. Restaurants, fast food.
dd. Restaurants, sit down.
ee. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
ff. Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
gg. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
hh. Permitted signs. **(removed)**
ii. Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
jj. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or serves of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
kk. Vehicle repair facilities for automobiles. **(Restricted to 1 and to the southern lots.)**
ll. Vehicle service centers for automobiles. **(Restricted to 1 and to the southern lots.)**

mm. Vehicles washing facilities for automobiles. **(Restricted to 1 and to the southern lots.)**

- Issues currently under review:
  - Road improvements
  - Cross access
  - Traffic issues
- Road improvements are proposed with the subject development for the interstate and Spirit of St. Louis Boulevard.
- The Comprehensive Land Use Plan shows the area zoned for "Mixed Commercial Use".

PETITIONER'S PRESENTATION:

1. Mr. Jerry Crylen, Senior Vice-President of Duke Realty Corporation, 520 Maryville Center Drive, Town & County, MO stated the following:
   - They have been under contract to acquire the site from the St. Louis Port Authority.
   - They have been discussing the road improvements, particularly confirming the proper access and configuration for additional on/off accesses on to Highway 40/64 and along Spirit of St. Louis Boulevard.
   - They feel the proposal will be beneficial to the City in that it removes the "antiquated jail facility" on the site.

2. Mr. George M. Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following.
   - The subject site is the former adult correctional institute, which is located at the southeast corner of I-64 and Spirit of St. Louis Boulevard – immediately north of Chesterfield Airport Road.
   - The site is 32.24 acres. The Petitioner's intent is to divide the property into three distinct areas.
   - They propose five lots fronting Chesterfield Airport Road ranging from 1.54 acres to 2 acres. They envision these lots to be retail use ranging in size from 8,000-12,400 square feet and would be single-story buildings.
   - They propose two lots, which would be mid-size retail, commercial, or small office. These lots range in size from 3.17 acres to 4.2 acres. These buildings would be either one- or two-story buildings with approximately 37,000-40,000 square feet.
   - The remaining area would be predominantly an office component, which has been divided into two lots ranging in size from 7.7 acres to 8.4 acres. These would be multi-story office buildings, as tall as four stories with 126,000-140,000 square feet.
   - There have been a number of meetings with St. Louis County, MoDOT, and the City relative to access to the proposed development. They are proposing two points of ingress/egress on to Chesterfield Airport Road. At the southeast corner, they are proposing a signalized intersection. Moving to the west is a proposed right-in/right-out intersection. Along the frontage would be a right-turn lane and an additional shoulder moving to the intersection of Spirit of St. Louis Boulevard, which would also become a fully-signalized intersection.

- There would be improvements to Spirit of St. Louis Boulevard all the way up to the bridge.
- Road improvements include:
  - An additional center left-hand turn lane, along with shoulders;
  - An east-bound ramp onto Highway 64;
  - Re-striping of the bridge to accommodate the intersections – both on the south and the north sides; and
  - A west-bound ramp is proposed west of the bridge.
- Within the development, there will be internal driveways between the lower third and the mid-point, which will provide access for the retail lots fronting Chesterfield Airport Road.
- They will be incorporating the City's Master Drainage Plan, which includes a channel that runs along the eastern side of Spirit of St. Louis Boulevard. There will be an upgrade to the sanitary sewers to service the proposed development. Improvements will be made to the storm water system.
- The Developer has agreed to eliminate some of the uses, as outlined by Ms. Nassif.
- Open space of 30% is being proposed for the development, which is consistent with the other developments along Chesterfield Airport Road going back to the east.
- Regarding the building coverage, they would adhere to the 25% maximum building coverage.
- There are no specific users at this time.
- They would move forward with the development of this property, in conjunction with St. Louis County, to construct the proposed improvements in an expeditious manner. However, some permitting is out of their control, specifically the access ramp, which is under discussion with the Federal Highway Commission.
- They would like to commence with the razing and the infrastructure improvement of the roads.

3. Mr. Doug Shatto, Crawford, Bunte, Brammeier, was available for questions.

Responding to questions from the Commission, Mr. Crylen or Mr. Stock stated the following:

- **Regarding restricting the number of uses for the two office buildings on the northern part of the property:** They will work with Staff to clarify the uses.
- **Regarding access from Highway 40:** There is an existing bridge, which will be used. Going west-bound on I-64 and going underneath the bridge, a motorist will have the ability to exit using a new ramp.
- **Regarding the two signalized intersections:** The Spirit of St. Louis intersection will align with Spirit of St. Louis Boulevard as it goes to the south. The intersection at the southeast corner will not line up with any driveway.

Commissioner Broemmer expressed concern about a possible stacking problem from motorists trying to make a left-hand turn out of the development. Mr. Stock stated that there is another proposed signalized intersection located at Goddard, which has been recently approved at Greenberg Developments. All the signals will be sequenced, which will allow queues in the traffic for the motorists wanting to exit the site going left.

Commissioner Perantoni expressed her appreciation in having the taller buildings located near the highway. She encouraged the Developer to keep the buildings along Chesterfield Airport Road as one-story.

Mayor Nations stated that he is delighted with the proposed plan for this site. The County has been very cooperative in working with the City regarding this site. He feels the redevelopment of this property will be beneficial to the Valley and for the residents of Chesterfield.

Commissioner Asmus commended the Petitioner for presenting a plan that includes signalized intersections and right-turn lanes. He hopes the City can expeditiously act on the petition.

Commissioner Sherman expressed concern about the intersection to the east. It was noted that the Commission will be receiving comments from Public Works regarding the Traffic Study.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Create a separate list of uses for the properties to the north.
2. The taller buildings are to be constructed on the northern part of the property; one-story buildings are to be constructed along Chesterfield Airport Road; and one- or two-story buildings on the middle lots.
3. Road improvements
4. Cross access
5. Traffic issues – It was noted that the Traffic Study will be available at the next meeting.
6. Does the PC Ordinance or the Comprehensive Plan place a height limitation for this area? Ms. Nassif stated that the general requirement is that when a building goes over a specific number of feet, the setback changes – but there is no specific height limitation.

Commissioner Perantoni read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Chair Hirsch clarified two points from the February 12th Planning Commission meeting regarding P.Z. 01-2007 Sentrus (17947 Chesterfield Airport Road.):

- It was noted in the Meeting Summary that "Also in for review at this time are the Site Development Concept Plan and Section Plan for proposed Lot 4. These plans will be going to the Architectural Review Board in February; and then for review before the Commission simultaneously with the vote for the rezoning". It was clarified that **the petitioner has requested review by the Commission simultaneously with the vote for the rezoning. It was also noted that the Planning Commission would conduct the Public Hearing for P.Z. 01-2007 at the February 12th meeting and solicit any concerns or issues evident at that time.**

- It was noted in the Meeting Summary that "Commissioner Banks reported that he and Chair Hirsch had met previously with Mr. Weinstein and some of the development team regarding the timeline of the project". It was clarified that **Chair Hirsch and Commissioner Banks had attended a meeting called by the City, at which City Staff discussed the unique needs and timeline requested for this project. This meeting also included Mayor Nations, Councilmember Fults, Acting Director of Planning Geisel, and other City Staff.**

Commissioner Sherman made a motion to approve the minutes, as presented, of the February 12, 2007 Planning Commission Meeting. The motion was seconded by Commissioner Perantoni and **passed by a voice vote of 8 to 0.** (Commissioner Asmus was absent during the vote.)

VI. PUBLIC COMMENT

RE: P.Z. 16-2006 Conway Point Office Building (Nelson McBride Development LLC)

Petitioner:

1. Mr. Randy Johnson, Lighthouse Architects, 14323 South Outer 40 Drive, Chesterfield, MO stated the following:
   - Lighthouse Architects has been hired to plan and design the subject site, located at Conway Road and Chesterfield Parkway.
   - They feel the proposed use is in alignment with the City's Land Use Plan.
   - They would like to discuss the merits of the project being developed as a gateway into the City of Chesterfield as opposed to the existing empty lot.
   - They have begun conversations with the neighbors, who have indicated agreement with the rezoning. The petitioner is awaiting a signed document from the neighboring property owners, which will be submitted to the City.

Responding to questions from the Commission, Mr. Johnson stated the following:

- **Regarding the proposed rooftop garden:** Rooftop gardens are a way to minimize the heat gain on certain portions of the building. They view the rooftop gardens as a progressive building component along the highway and as a statement-maker for the City. The rooftop area being considered is about 1700 sq. ft. It is expected that the garden will be seen from Chesterfield Parkway and Highway 40.
- **Regarding the pervious paving:** The paving system is proposed in the head-in parking spaces – not in any of the drive aisles. It is a pervious paving system that allows water to percolate through as opposed to sheet draining as most asphalt and concrete parking lots drain. By allowing the water to percolate through, it delays the introduction into the MSD system. The pervious paving is considered a green building component. The pavers are readily identifiable as a place for parking.
- **Regarding green building components:** In addition to the possible rooftop garden and pervious paving, they are also reviewing the possibility of utilizing a geothermal system, which would use the earth to heat and cool the building.
- **Regarding open space requirements:** it was noted that the open space requirements are 45% for the subject site. The revised landscaped area, which includes about 6,000 sq. ft. for the eco-pavers and 1700 sq. ft. for the rooftop garden, would increase the open space to 52.5% - this percentage does not include any MoDOT property. The petitioner is required to escrow funds for sidewalks, which would be on MoDOT property. The petitioner would maintain and landscape the MoDOT property and is asking whether the MoDOT property can be counted as part of the green space.

Commissioner Sherman stated that she is in favor of the eco-pavers, but expressed concern about them being counted towards open space.

2. Mr. Jim Wolterman, SWT Design, 7722 Big Bend Blvd, St. Louis, MO stated he was available for questions.

3. Mr. Dave Bohler, Clayton Engineering Company, 11920 Westline Industrial Drive, St. Louis, MO stated he was available for questions.

RE: P.Z. 25-2006 Simply Storage (OB Development, LLC)

Petitioner:

1. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO addressed the following issues:
   - Height: The building under the revised Plan will be 42' high, which will result in a 31-foot green space along the western property line. The previous Plan showed a building 45' in height to the roofline and 53' to the top with the mansard roof peaks. The peaks are removed on the revised Plan.

- Variance for the west side: The new site layout will meet the setback requirement along the western boundary line. With the reduced height, no variance will be necessary on the western boundary.
- Open Space: The previous Plan showed 30% open space; the revised Plan will also have the required 30% open space – possibly a little more as the building now totals 101,500 sq. ft. down from 101,740 sq. ft. The total retail has been reduced from 11,800 sq. ft. to 8,750 sq. ft. – a reduction of a little over 3,000 sq. ft. This reduction results in a lesser parking requirement of 49 spaces vs. the previous requirement of 63 spaces.
- Building Appearance: The revised Plan will show a design where the south and west sides of the building are wrapped with a single-story structure – 22 feet in height with a 30-foot minimum depth. The building will have a stepped appearance on the west side and south side, which will push most of the mass back from the edges of the property and make the building look smaller.
- Elevations: Per comments from Staff, they are in the process of changing the elevations to make the building look more like an office building.

Mr. Doster stated that if the re-consideration is approved, they hope to present the revised Plan at the next scheduled Planning Commission meeting.

2. Mr. Steven W. Polk, 17813 Edison Avenue, Chesterfield, MO stated he was available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS - None

VIII. OLD BUSINESS

A. P.Z. 16-2006 Conway Point Office Building (Nelson McBride Development LLC): A request for a change of zoning from an "R-3" Residence District to a "PC" Planned Commercial District for a 1.1 acre tract of land located at 15310 Conway Road, at the northeast corner of Chesterfield Parkway and Conway Road.

ISSUES:

1. Staff is awaiting the requested Traffic Study.
2. Open space – Ms. Yackley clarified the open space numbers. The plan shows 37% open space. If the rooftop garden is included in the open space, the open space is increased to 38%; if the Commission chooses to include the pavers in the open space, it would be increased to 52%.

Commissioner Banks stated he is not opposed to the pavers or rooftop garden, but felt the Commission should not overlook why the City has specific requirements, which hold down the density of the building and the required number of parking spaces. He felt the site will have access issues and

questioned why they should be given relief on green space. He felt the building should be smaller, which would require less parking.

Commissioner Broemmer stated he is not opposed to the pavers and rooftop garden but did not feel the pavers should be used in the open space calculations or that the rooftop garden should be considered as part of the green space.

Mr. Mike Geisel, Acting Director of Planning, stated that Staff's perspective is that the pavers are a good idea for storm water purposes. However, there is a problem with applying the pavers in a parking area to the open space definition. The definition of open space excludes areas for vehicular access and parking so the subject pavers would not be applied to the open space calculations. From a storm water perspective, it is a reasonable expectation that credits could be given for a reduction in the storm water run-off generated but he did feel any credit should be given for those pavers that are under a parked car.

Mr. Geisel also pointed out that Staff has denied a request for a variance to the 30-foot landscaping requirement on the east side of the site. The landscaping is required because the lot abuts a residential parcel.

Ms. Yackley stated that the site is surrounded on the east and south sides by MoDOT property, which is currently zoned residential. At the Public Hearing, question was raised as to whether or not other developments in the City had been granted the ability to use neighboring MoDOT properties toward open space calculations. Staff has found that the Drury Hotel has an open space requirement of 20% within its property lines because the landscape berm is half owned by MoDOT. The subject petitioner, in an attempt to avoid having to use MoDOT land, is requesting that the Commission grant a reduction in its open space requirement considering the use of pavers and rooftop gardens.

IX. NEW BUSINESS

A. P.Z. 25-2006 Simply Storage (OB Development, LLC): A request for a change of zoning from a Non-Urban "NU" to a Planned Industrial "PI" for an approximately 2.3 acre tract of land located at 17555 and 17551 Chesterfield Airport Road east of the intersection of Long Road and Chesterfield Airport Road. (Locator Numbers 17U140263 and 17U140203)

Chair Hirsch stated that a motion to re-consider P.Z. 25-2006 would have to be made by one of the three members of the Commission who voted against the petition at the last meeting.

Because Mr. Doster has addressed her previous concerns, **Commissioner Perantoni made a motion to reconsider P.Z. 25-2006 Simply Storage (OB Development, LLC).** The motion was seconded by Commissioner Banks.

City Attorney Rob Heggie clarified that if the motion to re-consider passes, the petition would be placed on a future agenda as though it had not been previously voted upon. It was noted that Staff has not yet received the revised Plan, so this petition will be placed on the Agenda after Staff's review.

Upon roll call, the vote was as follows:

Aye: Commissioner Sherman, Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Chairman Hirsch

Nay: None

The motion passed by a vote of 9 to 0.

B. P.Z. 6-2007 Delmar Gardens Enterprises (Ordinance Amendment): A request for an amendment to City of Chesterfield Ordinance 2129 to change the building setbacks, parking structure setbacks, parking and loading space setbacks for a 8.477 acre "PC" Planned Commercial District located near the intersection of North Outer Forty and Conway Road at 14805 North Outer Forty Drive.

Commissioner Banks made a motion to hold a Public Hearing on P.Z. 6-2007 Delmar Gardens Enterprises (Ordinance Amendment). The motion was seconded by Commissioner Sherman and **passed by a voice vote of 9 to 0.**

C. Resolution regarding Ordinance Amendments

Commissioner Asmus made a motion to adopt the Resolution as amended below:

> Be it resolved that all Ordinance Amendments under City of Chesterfield Code Section 1003.178.3 shall require a Public Hearing before the Planning Commission unless specifically exempted by a ~~majority~~ **super majority** vote **(6)** of the Planning Commission.

The motion was seconded by Commissioner Geckeler.

Commissioner Banks questioned whether all Commissioners would have to vote for exemption of a Public Hearing if only six Commissioners are present at a particular meeting. Commissioner Asmus replied that this is the intent as he does not feel the Commission should bypass the public's right to a hearing.

Upon roll call, the vote was as follows:

Aye: Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Chairman Hirsch

Nay: None

The motion passed by a vote of 9 to 0.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

_____

David Banks, Secretary

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
FEBRUARY 12, 2007

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

I. PRESENT **ABSENT**

Mr. David Asmus
Mr. David Banks
Mr. Fred Broemmer
Ms. Wendy Geckeler
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Gene Schenberg
Ms. Victoria Sherman
Chairman Maurice L. Hirsch, Jr.

Mayor John Nations
Councilmember Mary Brown, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Ms. Libbey Simpson, Assistant City Administrator
for Economic & Community Development
Mr. Mike Geisel, Acting Director of Planning
Ms. Aimee Nassif, Senior Planner
Ms. Jennifer Yackley, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner O'Connor

III. PLEDGE OF ALLEGIANCE – All

Chair Hirsch acknowledged the attendance of Mayor John Nations; Councilmember Mary Brown, Council Liaison; Councilmember Connie Fults, Ward IV; and City Administrator Mike Herring.

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

A. P.Z. 4-2007 Butler Investment Partnership, LP (Saturn of West County): A request for an amendment to City of Chesterfield Ordinance 2099 to allow for two additional permitted uses for a 15.01 acre "PC" Planned Commercial District located north of Chesterfield Airport Road and west of Long Road at 91 Long Road, 706 Long Road, 707 Long Road and 750 Long Road.

Project Planner Jennifer Yackley gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Yackley stated the following:

- The Petitioner is requesting the following two uses:
  - (kk) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
  - (ll) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry and agriculture.
- The subject site is the northern part of Long Road Crossing at the intersection of Long Road and Chesterfield Airport Road and just north of Walgreen's.
- The Comprehensive Land Use Plan indicates the subject parcel as "Mixed Commercial Use".
- Departmental Issues:
  1. Awaiting agency comments from the Public Works Department and St. Louis County.
  2. The amended Attachment A will include the updated criteria for commercial developments.

PETITIONER'S PRESENTATION:

1. Mr. Chris Kehr, representing Butler Investment Partnership, 11141 Clayton Road, St. Louis, MO stated the following:
   - They are only requesting use (kk); use (ll) is not being requested.
   - There is a time constraint in that the requested use by the Saturn dealership is based upon the closing of the current dealership at 141 and Manchester Road.
   - They are interested in locating in Chesterfield Valley and feel the dealership would be a great addition to the area.
   - The proposed building is for a one-story, 19,000 square-foot Saturn dealership on 5.3 acres. The current proposed use is for a five-story, 89,000 sq. ft. hotel.
   - Saturn proposes to locate its building in the northwest corner of the site with the front of the building facing U.S. 40/64.
   - The site would have about 31% open space with significant landscaping on all four sides to buffer the car lot. The site would include parking islands with no more than 10 spaces in-between – all being landscaped and irrigated.

- The Petitioner proposes amending use (kk) as follows:
  Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, ~~trailers, construction equipment, agricultural equipment, and boats,~~ as well as associated repairs and necessary outdoor storage of said vehicles.
- The current Zoning Ordinance allows the sale of automobiles, but it is limited to indoor sales.
- Saturn's intent is to bring a quality building and business to the Chesterfield area. Saturn's prototype building is proposed for the site with some flexibility in the design.

2. Ms. Jackie Dunne, Owner, Saturn of West County, 17915 Pond Bridge Road, Chesterfield, MO was available for questions:

3. Mr. Paul Boyer, 11402 Gravois Road, #100, St. Louis, MO was available for questions.

4. Mr. Michael E. Bauer, President, Bauer & Associates Architects, Inc. 12412 Powerscourt, St. Louis, MO was available for questions.

Responding to questions from the Commission, Mr. Kehr or Ms. Dunne stated the following:

- **Regarding a body shop on site:** There will not be a body shop at the subject site. There will be a service department on-site. Customers' vehicles would be towed to the South County location for body work. Commissioner Banks expressed concern about having wrecked cars sitting on the lot waiting for repairs. He noted that the current language would allow this.
- **Regarding static displays:** A typical Saturn dealership keeps 4-5 cars on display outside in front of the building with the majority of the inventory being stored outside toward the rear of the building.
- **Regarding repair of vehicles:** All vehicles would be repaired indoors in the Service Department at the rear of the facility. The Service Department is not visible from the front of the building – customers would enter the front of the building to a service reception area.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Does the current zoning ordinance allow the indoor sale of motor vehicles? Ms. Yackley stated that the indoor sale of motor vehicles is included in the use of general retail.

2. Clarify the uses – delete use (ll) from the request.
3. Amend use (kk) per the Petitioner's statement.
4. Should "body shop" be specifically excluded in the Attachment A?
5. Address language in the Attachment A that would allow the storage of vehicles for repair.
6. When was the current Ordinance approved? Ms. Yackley stated that it passed June 7, 2004.
7. Provide the entire list of uses as approved, along with the changes proposed.
8. Provide comments from the Department of Public Works regarding how the proposed use will affect traffic/safety on Chesterfield Airport Road.
9. What are the open space requirements for the proposed use? Ms. Yackley stated that the open space is not defined by use; the open space for this site, per the governing ordinance, is 30%. They comply with the requirement.

B. P.Z. 05-2007 Chesterfield Corporate Center (18199 and 18299 Chesterfield Airport Road): A request for a change of zoning from "M3" Planned Industrial to "PC" Planned Commercial District for 32.2 acre tract of land located north of Chesterfield Airport Road, east of Spirit of St. Louis Boulevard. (17V420047)

Ms. Aimee Nassif, Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Nassif stated the following:

- Staff has worked with the Petitioner regarding the proposed uses – the proposed uses are as follows with those being removed, or amended, as noted:
  a. Animal hospitals, veterinary clinics, and kennels.
  b. Arenas and stadiums. **(removed)**
  c. Associated work and storage areas required by a business, firm, or service to carry on business operations.
  d. Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
  e. Automatic vending facilities for: **(ancillary)**
     - Ice and solid carbon dioxide (dry ice);
     - Beverages;
     - Confections.
  f. Barber shops and beauty parlors.
  g. Bookstores.
  h. Broadcasting studios for radio and television. **(removed)**
  i. Cafeterias for employees and guests only.
  j. Child care centers, nursery schools, and day nurseries.
  k. Colleges and universities.
  l. Dry cleaning drop-off and pick-up stations.
  m. Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours. **(limit to 1, southern lots)**
  n. Film drop-off and pick-up stations.

o. Fishing tackle and bait shops. Open storage and display are prohibited. **(removed)**
p. Financial Institutions.
q. Hospitals.
r. Hotels and Motels.
s. Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles.
t. Medical and dental offices.
u. Offices or office buildings.
v. Outdoor advertising signs. **(removed)**
w. Outpatient substance abuse treatment facilities. **(removed)**
x. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
y. Police, fire and postal stations.
z. Public utility facilities.
aa. Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters.
bb. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
cc. Restaurants, fast food.
dd. Restaurants, sit down.
ee. Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
ff. Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
gg. Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
hh. Permitted signs. **(removed)**
ii. Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
jj. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or serves of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
kk. Vehicle repair facilities for automobiles. **(Restricted to 1 and to the southern lots.)**
ll. Vehicle service centers for automobiles. **(Restricted to 1 and to the southern lots.)**

mm. Vehicles washing facilities for automobiles. **(Restricted to 1 and to the southern lots.)**

- Issues currently under review:
  - Road improvements
  - Cross access
  - Traffic issues
- Road improvements are proposed with the subject development for the interstate and Spirit of St. Louis Boulevard.
- The Comprehensive Land Use Plan shows the area zoned for "Mixed Commercial Use".

PETITIONER'S PRESENTATION:

1. Mr. Jerry Crylen, Senior Vice-President of Duke Realty Corporation, 520 Maryville Center Drive, Town & County, MO stated the following:
   - They have been under contract to acquire the site from the St. Louis Port Authority.
   - They have been discussing the road improvements, particularly confirming the proper access and configuration for additional on/off accesses on to Highway 40/64 and along Spirit of St. Louis Boulevard.
   - They feel the proposal will be beneficial to the City in that it removes the "antiquated jail facility" on the site.

2. Mr. George M. Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following.
   - The subject site is the former adult correctional institute, which is located at the southeast corner of I-64 and Spirit of St. Louis Boulevard – immediately north of Chesterfield Airport Road.
   - The site is 32.24 acres. The Petitioner's intent is to divide the property into three distinct areas.
   - They propose five lots fronting Chesterfield Airport Road ranging from 1.54 acres to 2 acres. They envision these lots to be retail use ranging in size from 8,000-12,400 square feet and would be single-story buildings.
   - They propose two lots, which would be mid-size retail, commercial, or small office. These lots range in size from 3.17 acres to 4.2 acres. These buildings would be either one- or two-story buildings with approximately 37,000-40,000 square feet.
   - The remaining area would be predominantly an office component, which has been divided into two lots ranging in size from 7.7 acres to 8.4 acres. These would be multi-story office buildings, as tall as four stories with 126,000-140,000 square feet.
   - There have been a number of meetings with St. Louis County, MoDOT, and the City relative to access to the proposed development. They are proposing two points of ingress/egress on to Chesterfield Airport Road. At the southeast corner, they are proposing a signalized intersection. Moving to the west is a proposed right-in/right-out intersection. Along the frontage would be a right-turn lane and an additional shoulder moving to the intersection of Spirit of St. Louis Boulevard, which would also become a fully-signalized intersection.

- There would be improvements to Spirit of St. Louis Boulevard all the way up to the bridge.
- Road improvements include:
  - An additional center left-hand turn lane, along with shoulders;
  - An east-bound ramp onto Highway 64;
  - Re-striping of the bridge to accommodate the intersections – both on the south and the north sides; and
  - A west-bound ramp is proposed west of the bridge.
- Within the development, there will be internal driveways between the lower third and the mid-point, which will provide access for the retail lots fronting Chesterfield Airport Road.
- They will be incorporating the City's Master Drainage Plan, which includes a channel that runs along the eastern side of Spirit of St. Louis Boulevard. There will be an upgrade to the sanitary sewers to service the proposed development. Improvements will be made to the storm water system.
- The Developer has agreed to eliminate some of the uses, as outlined by Ms. Nassif.
- Open space of 30% is being proposed for the development, which is consistent with the other developments along Chesterfield Airport Road going back to the east.
- Regarding the building coverage, they would adhere to the 25% maximum building coverage.
- There are no specific users at this time.
- They would move forward with the development of this property, in conjunction with St. Louis County, to construct the proposed improvements in an expeditious manner. However, some permitting is out of their control, specifically the access ramp, which is under discussion with the Federal Highway Commission.
- They would like to commence with the razing and the infrastructure improvement of the roads.

3. Mr. Doug Shatto, Crawford, Bunte, Brammeier, was available for questions.

Responding to questions from the Commission, Mr. Crylen or Mr. Stock stated the following:

- **Regarding restricting the number of uses for the two office buildings on the northern part of the property:** They will work with Staff to clarify the uses.
- **Regarding access from Highway 40:** There is an existing bridge, which will be used. Going west-bound on I-64 and going underneath the bridge, a motorist will have the ability to exit using a new ramp.
- **Regarding the two signalized intersections:** The Spirit of St. Louis intersection will align with Spirit of St. Louis Boulevard as it goes to the south. The intersection at the southeast corner will not line up with any driveway.

Commissioner Broemmer expressed concern about a possible stacking problem from motorists trying to make a left-hand turn out of the development. Mr. Stock stated that there is another proposed signalized intersection located at Goddard, which has been recently approved at Greenberg Developments. All the signals will be sequenced, which will allow queues in the traffic for the motorists wanting to exit the site going left.

Commissioner Perantoni expressed her appreciation in having the taller buildings located near the highway. She encouraged the Developer to keep the buildings along Chesterfield Airport Road as one-story.

Mayor Nations stated that he is delighted with the proposed plan for this site. The County has been very cooperative in working with the City regarding this site. He feels the redevelopment of this property will be beneficial to the Valley and for the residents of Chesterfield.

Commissioner Asmus commended the Petitioner for presenting a plan that includes signalized intersections and right-turn lanes. He hopes the City can expeditiously act on the petition.

Commissioner Sherman expressed concern about the intersection to the east. It was noted that the Commission will be receiving comments from Public Works regarding the Traffic Study.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Create a separate list of uses for the properties to the north.
2. The taller buildings are to be constructed on the northern part of the property; one-story buildings are to be constructed along Chesterfield Airport Road; and one- or two-story buildings on the middle lots.
3. Road improvements
4. Cross access
5. Traffic issues – It was noted that the Traffic Study will be available at the next meeting.
6. Does the PC Ordinance or the Comprehensive Plan place a height limitation for this area? Ms. Nassif stated that the general requirement is that when a building goes over a specific number of feet, the setback changes – but there is no specific height limitation.

Commissioner Perantoni read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Chair Hirsch clarified two points from the February 12th Planning Commission meeting regarding P.Z. 01-2007 Sentrus (17947 Chesterfield Airport Road.):

- It was noted in the Meeting Summary that "Also in for review at this time are the Site Development Concept Plan and Section Plan for proposed Lot 4. These plans will be going to the Architectural Review Board in February; and then for review before the Commission simultaneously with the vote for the rezoning". It was clarified that **the petitioner has requested review by the Commission simultaneously with the vote for the rezoning. It was also noted that the Planning Commission would conduct the Public Hearing for P.Z. 01-2007 at the February 12th meeting and solicit any concerns or issues evident at that time.**

- It was noted in the Meeting Summary that "Commissioner Banks reported that he and Chair Hirsch had met previously with Mr. Weinstein and some of the development team regarding the timeline of the project". It was clarified that **Chair Hirsch and Commissioner Banks had attended a meeting called by the City, at which City Staff discussed the unique needs and timeline requested for this project. This meeting also included Mayor Nations, Councilmember Fults, Acting Director of Planning Geisel, and other City Staff.**

Commissioner Sherman made a motion to approve the minutes, as presented, of the February 12, 2007 Planning Commission Meeting. The motion was seconded by Commissioner Perantoni and **passed by a voice vote of 8 to 0.** (Commissioner Asmus was absent during the vote.)

VI. PUBLIC COMMENT

RE: P.Z. 16-2006 Conway Point Office Building (Nelson McBride Development LLC)

Petitioner:

1. Mr. Randy Johnson, Lighthouse Architects, 14323 South Outer 40 Drive, Chesterfield, MO stated the following:
   - Lighthouse Architects has been hired to plan and design the subject site, located at Conway Road and Chesterfield Parkway.
   - They feel the proposed use is in alignment with the City's Land Use Plan.
   - They would like to discuss the merits of the project being developed as a gateway into the City of Chesterfield as opposed to the existing empty lot.
   - They have begun conversations with the neighbors, who have indicated agreement with the rezoning. The petitioner is awaiting a signed document from the neighboring property owners, which will be submitted to the City.

Responding to questions from the Commission, Mr. Johnson stated the following:

- **Regarding the proposed rooftop garden:** Rooftop gardens are a way to minimize the heat gain on certain portions of the building. They view the rooftop gardens as a progressive building component along the highway and as a statement-maker for the City. The rooftop area being considered is about 1700 sq. ft. It is expected that the garden will be seen from Chesterfield Parkway and Highway 40.
- **Regarding the pervious paving:** The paving system is proposed in the head-in parking spaces – not in any of the drive aisles. It is a pervious paving system that allows water to percolate through as opposed to sheet draining as most asphalt and concrete parking lots drain. By allowing the water to percolate through, it delays the introduction into the MSD system. The pervious paving is considered a green building component. The pavers are readily identifiable as a place for parking.
- **Regarding green building components:** In addition to the possible rooftop garden and pervious paving, they are also reviewing the possibility of utilizing a geothermal system, which would use the earth to heat and cool the building.
- **Regarding open space requirements:** it was noted that the open space requirements are 45% for the subject site. The revised landscaped area, which includes about 6,000 sq. ft. for the eco-pavers and 1700 sq. ft. for the rooftop garden, would increase the open space to 52.5% - this percentage does not include any MoDOT property. The petitioner is required to escrow funds for sidewalks, which would be on MoDOT property. The petitioner would maintain and landscape the MoDOT property and is asking whether the MoDOT property can be counted as part of the green space.

Commissioner Sherman stated that she is in favor of the eco-pavers, but expressed concern about them being counted towards open space.

2. Mr. Jim Wolterman, SWT Design, 7722 Big Bend Blvd, St. Louis, MO stated he was available for questions.

3. Mr. Dave Bohler, Clayton Engineering Company, 11920 Westline Industrial Drive, St. Louis, MO stated he was available for questions.

RE: P.Z. 25-2006 Simply Storage (OB Development, LLC)

Petitioner:

1. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO addressed the following issues:
   - Height: The building under the revised Plan will be 42' high, which will result in a 31-foot green space along the western property line. The previous Plan showed a building 45' in height to the roofline and 53' to the top with the mansard roof peaks. The peaks are removed on the revised Plan.

- Variance for the west side: The new site layout will meet the setback requirement along the western boundary line. With the reduced height, no variance will be necessary on the western boundary.
- Open Space: The previous Plan showed 30% open space; the revised Plan will also have the required 30% open space – possibly a little more as the building now totals 101,500 sq. ft. down from 101,740 sq. ft. The total retail has been reduced from 11,800 sq. ft. to 8,750 sq. ft. – a reduction of a little over 3,000 sq. ft. This reduction results in a lesser parking requirement of 49 spaces vs. the previous requirement of 63 spaces.
- Building Appearance: The revised Plan will show a design where the south and west sides of the building are wrapped with a single-story structure – 22 feet in height with a 30-foot minimum depth. The building will have a stepped appearance on the west side and south side, which will push most of the mass back from the edges of the property and make the building look smaller.
- Elevations: Per comments from Staff, they are in the process of changing the elevations to make the building look more like an office building.

Mr. Doster stated that if the re-consideration is approved, they hope to present the revised Plan at the next scheduled Planning Commission meeting.

2. Mr. Steven W. Polk, 17813 Edison Avenue, Chesterfield, MO stated he was available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS - None

VIII. OLD BUSINESS

A. P.Z. 16-2006 Conway Point Office Building (Nelson McBride Development LLC): A request for a change of zoning from an "R-3" Residence District to a "PC" Planned Commercial District for a 1.1 acre tract of land located at 15310 Conway Road, at the northeast corner of Chesterfield Parkway and Conway Road.

ISSUES:

1. Staff is awaiting the requested Traffic Study.
2. Open space – Ms. Yackley clarified the open space numbers. The plan shows 37% open space. If the rooftop garden is included in the open space, the open space is increased to 38%; if the Commission chooses to include the pavers in the open space, it would be increased to 52%.

Commissioner Banks stated he is not opposed to the pavers or rooftop garden, but felt the Commission should not overlook why the City has specific requirements, which hold down the density of the building and the required number of parking spaces. He felt the site will have access issues and

questioned why they should be given relief on green space. He felt the building should be smaller, which would require less parking.

Commissioner Broemmer stated he is not opposed to the pavers and rooftop garden but did not feel the pavers should be used in the open space calculations or that the rooftop garden should be considered as part of the green space.

Mr. Mike Geisel, Acting Director of Planning, stated that Staff's perspective is that the pavers are a good idea for storm water purposes. However, there is a problem with applying the pavers in a parking area to the open space definition. The definition of open space excludes areas for vehicular access and parking so the subject pavers would not be applied to the open space calculations. From a storm water perspective, it is a reasonable expectation that credits could be given for a reduction in the storm water run-off generated but he did feel any credit should be given for those pavers that are under a parked car.

Mr. Geisel also pointed out that Staff has denied a request for a variance to the 30-foot landscaping requirement on the east side of the site. The landscaping is required because the lot abuts a residential parcel.

Ms. Yackley stated that the site is surrounded on the east and south sides by MoDOT property, which is currently zoned residential. At the Public Hearing, question was raised as to whether or not other developments in the City had been granted the ability to use neighboring MoDOT properties toward open space calculations. Staff has found that the Drury Hotel has an open space requirement of 20% within its property lines because the landscape berm is half owned by MoDOT. The subject petitioner, in an attempt to avoid having to use MoDOT land, is requesting that the Commission grant a reduction in its open space requirement considering the use of pavers and rooftop gardens.

IX. NEW BUSINESS

A. P.Z. 25-2006 Simply Storage (OB Development, LLC): A request for a change of zoning from a Non-Urban "NU" to a Planned Industrial "PI" for an approximately 2.3 acre tract of land located at 17555 and 17551 Chesterfield Airport Road east of the intersection of Long Road and Chesterfield Airport Road. (Locator Numbers 17U140263 and 17U140203)

Chair Hirsch stated that a motion to re-consider P.Z. 25-2006 would have to be made by one of the three members of the Commission who voted against the petition at the last meeting.

Because Mr. Doster has addressed her previous concerns, **Commissioner Perantoni made a motion to reconsider P.Z. 25-2006 Simply Storage (OB Development, LLC).** The motion was seconded by Commissioner Banks.

City Attorney Rob Heggie clarified that if the motion to re-consider passes, the petition would be placed on a future agenda as though it had not been previously voted upon. It was noted that Staff has not yet received the revised Plan, so this petition will be placed on the Agenda after Staff's review.

Upon roll call, the vote was as follows:

Aye: Commissioner Sherman, Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Chairman Hirsch

Nay: None

The motion passed by a vote of 9 to 0.

B. P.Z. 6-2007 Delmar Gardens Enterprises (Ordinance Amendment): A request for an amendment to City of Chesterfield Ordinance 2129 to change the building setbacks, parking structure setbacks, parking and loading space setbacks for a 8.477 acre "PC" Planned Commercial District located near the intersection of North Outer Forty and Conway Road at 14805 North Outer Forty Drive.

Commissioner Banks made a motion to hold a Public Hearing on P.Z. 6-2007 Delmar Gardens Enterprises (Ordinance Amendment). The motion was seconded by Commissioner Sherman and **passed by a voice vote of 9 to 0.**

C. Resolution regarding Ordinance Amendments

Commissioner Asmus made a motion to adopt the Resolution as amended below:

> Be it resolved that all Ordinance Amendments under City of Chesterfield Code Section 1003.178.3 shall require a Public Hearing before the Planning Commission unless specifically exempted by a ~~majority~~ **super majority** vote **(6)** of the Planning Commission.

The motion was seconded by Commissioner Geckeler.

Commissioner Banks questioned whether all Commissioners would have to vote for exemption of a Public Hearing if only six Commissioners are present at a particular meeting. Commissioner Asmus replied that this is the intent as he does not feel the Commission should bypass the public's right to a hearing.

Upon roll call, the vote was as follows:

Aye: Commissioner Asmus, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Chairman Hirsch

Nay: None

The motion passed by a vote of 9 to 0.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:45 p.m.

_____

David Banks, Secretary