

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
FEBRUARY 8, 2016**

The meeting was called to order at 7:05 p.m.

I. ROLL CALL

PRESENT

Ms. Wendy Geckeler
Ms. Merrell Hansen
Ms. Allison Harris
Ms. Laura Lueking
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Guy Tilman
Chair Stanley Proctor

ABSENT

Mr. Steven Wuennenberg

Councilmember Connie Fults, Council Liaison
Interim City Attorney Harry O'Rourke
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Jonathan Raiche, Senior Planner
Mr. Justin Wyse, Senior Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Proctor acknowledged the attendance of Councilmember Connie Fults, Council Liaison; and Councilmember Bruce DeGroot, Ward IV.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS – None

V. APPROVAL OF MEETING SUMMARY

Commissioner Tilman made a motion to approve the Meeting Summary of the January 25, 2016 Planning Commission Meeting. The motion was seconded by Commissioner Nolan and **passed** by a voice vote of 7 to 0 with 1 abstention. (*Commissioner Lueking abstained.*)

VI. PUBLIC COMMENT

A. Chili's & Romano's Macaroni Grill (Twin Peaks) 963 Chesterfield Center AAE

Petitioner:

Mr. Michael Howard, Kaster Architects, 7304 West 130th Street, Overland Park, KS 66213.

Mr. Howard stated he was available for any questions regarding the Twin Peaks restaurant.

Commissioner Tilman asked for more information regarding the material to be used on the faux columns at the entry area. Mr. Howard explained that the structural columns consist of 4x4 steel and are surrounded by round, hollowed-out cypress tree trunks that have been stained.

Ms. Aimee Nassif, Planning and Development Services Director referred to the discussion at the earlier Site Plan Committee meeting regarding changes to the front elevation in order to provide a balanced look on both sides of the entryway, and asked if this would present any concerns or issues for the petitioner. Mr. Howard replied that they would be able to accommodate the suggested changes.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

A. Chili's & Romano's Macaroni Grill (Twin Peaks) 963 Chesterfield Center AAE: Amended Architectural Elevations and Architect's Statement of Design for one of the two buildings located on a 3.57 acre tract of land zoned "C-8" Planned Commercial District located on the northwest corner of the intersection of Clarkson Road and Chesterfield Parkway.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Amended Architectural Elevations and Architect's Statement of Design for Chili's & Romano's Macaroni Grill (Twin Peaks) 963 Chesterfield Center with the following changes to the front elevation:

1. Add similar awnings, faux windows, and trim to the windows on the east side of the main entryway when compared to the elements proposed on the west side in an effort to balance both sides of the entryway.
2. Revise the trim on the roofline of the proposed wall projection to match the trim of the roofline on the other side of the building.

The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 8 to 0.**

Senior Planner Jonathan Raiche stated that the applicant has indicated they could revise the trim on the roofline of the wall projection to match the existing trim currently being used on one side of the front elevation, and asked if this is acceptable to the Commission. The Commission noted their consensus that this would be acceptable.

VIII. OLD BUSINESS

- A. **P.Z. 13-2015 Chesterfield Valley Square (Burgundy Arrow LLC)**: A request for a zoning map amendment from a “PI” Planned Industrial District to a “PC” Planned Commercial District for a 6.07 acre tract of land located on the south side of Chesterfield Airport Road west of Public Works Drive (17U230320).

Senior Planner Justin Wyse stated that the site is currently developed as a multi-tenant center with a mix of retail, office, and restaurant uses. The request to zone to a “PC” Planned Commercial District is being sought in order to accommodate a mix of uses that is more reflective of what is currently in the development. A public hearing for the petition was held on January 11, 2016 at which time the following items were discussed:

1. Hours of Operation – Hours of operation for retail uses was requested in order to be consistent with retail developments throughout Chesterfield Valley. Staff has included language in the Attachment A, which provides hours of operation that are consistent with nearby retail developments.

The current ordinance has limitations on the hours for deliveries and trash pick-up, along with idling engines of commercial vehicles. These limitations have been included in the proposed Attachment A.

2. Uses - Staff recommends a restriction to “indoor use only” for the *kennel*, *boarding* and *automobile dealership* uses, which is consistent with the existing development regulations and adjacent uses. This restriction has been included in the proposed Attachment A.
3. Open Space – The “PC” District regulations require a minimum of 35% *open space* for the development; however when the site was developed, there was a 29% *green space* requirement. The applicant has provided information based on the distinction between *green space* and *open space*. The site currently contains 33% open space, which exceeds the open space provided at nearby commercially-focused developments.

The proposed Attachment A includes a requirement of 33% open space in lieu of 35%. If the Planning Commission wants to move forward with a recommendation of 33% open space, it requires a separate motion and a two-thirds vote of approval.

Mr. Wyse pointed out that the Comprehensive Plan designates the site as *Mixed Use (Retail/Office/Warehouse)*. The Comprehensive Plan also includes Plan Policies that pertain to development of the site, which were addressed in the original zoning. All of the prior development regulations have been included in the proposed Attachment A to insure continued consistency with the Comprehensive Plan.

Staff has reviewed the request and has found it to be in compliance with all City code-required items.

Discussion

Commissioner Tilman asked for information on why the nearby developments cited in the Staff Report do not meet the 35% open space requirement. Mr. Wyse explained that when these developments were built, the restriction was for 30% **green space**; since then, there has been a definitional change in the City's regulations to **open space**, which is the predominant factor for those developments not having 35% open space. Mr. Wyse also noted that none of these developments were given a variance to the green space requirement.

Commissioner Tilman then inquired as to what it would take for the subject site to go from 33% to 35% open space. Mr. Wyse explained that since the site is fully developed, either some of the parking or building area would have to be removed to accomplish this. If the amount of parking were reduced, then the site would not meet its parking requirements.

Commissioner Lueking stated that the last ordinance amendment for this development reduced the required setbacks and decreased the maximum permitted square footage. She inquired whether these changes allowed them to achieve the 33% open space. Ms. Nassif clarified that the City Code used to have a *green space* requirement and *green space* only included green areas; when the code changed to *open space*, it allowed the inclusion of sidewalks and other areas.

Commissioner Geckeler made a motion to modify the open space requirement from 35% to 33%. The motion was seconded by Commissioner Lueking.

Upon roll call, the vote was as follows:

Aye: Commissioner Harris, Commissioner Lueking,
Commissioner Midgley, Commissioner Nolan,
Commissioner Tilman, Commissioner Geckeler,
Commissioner Hansen, Chair Proctor

Nay: None

The motion passed by a vote of 8 to 0.

Commissioner Geckeler made a motion to approve P.Z. 13-2015 Chesterfield Valley Square (Burgundy Arrow LLC), as amended. The motion was seconded by Commissioner Midgley and passed by a voice vote of 8 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:25 p.m.

Steve Wuennenberg, Secretary