

**PLANNING COMMISSION  
OF THE CITY OF CHESTERFIELD  
AT CHESTERFIELD CITY HALL  
January 27, 2003**

The meeting was called to order at 7:06 p.m.

**I. PRESENT**

Mr. David Banks  
Mr. Fred Broemmer  
Mr. Mike Kodner  
Mr. Dan Layton, Jr.  
Ms. Stephanie Macaluso  
Mr. Jerry Right  
Mr. B. G. Wardlaw  
Chairman Victoria Sherman  
Mr. Doug Beach, City Attorney  
Mayor John Nations  
Mr. Barry Streeter, Council Liaison  
Ms. Teresa Price, Director of Planning  
Ms. Barbara Weigel, Senior Planner  
Mr. David Bookless, Project Planner  
Mr. Mike Hurlbert, Project Planner  
Ms. Annissa McCaskill, Project Planner  
Ms. Kathy Lone, Planning Assistant

**ABSENT**

Ms. Rachel Nolen

**II. INVOCATION:** Commissioner Layton

**III. PLEDGE OF ALLEGIANCE:**

Chairman Sherman recognized the attendance of Mayor John Nations, Councilmember Bruce Geiger (Ward II), Councilmember Mike Casey (III), Councilmember Dan Hurt (Ward III), Councilmember Connie Fults (Ward IV) and Council Liaison Barry Streeter (Ward II).

**IV. PUBLIC HEARINGS:**

**Commissioner Wardlaw read the first portion of the “Opening Comments.”**

- A. **P.Z. 30-2002 Edison South Investors, L.L.C.:** A request to change the zoning from "M-3" to "PI" (Planned Industrial) for a 7.123 acre tract of land located on the south side of Edison Avenue at Cepi Drive (parcel 17V310081).

Proposed Uses:

Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular "PI" Planned Industrial District and shall be taken from the following list. Uses requested are to be representative of those proposed to be developed:

- (f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
- (j) Business, professional, and technical training schools.
- (q) Financial institutions.
- (bb) Laundries and dry cleaning plants, which include dry cleaning drop-off and pick-up stations.
- (dd) Mail order sale warehouses.
- (ee) Manufacturing, fabrication and processing of flammable gases, liquids, and explosives.
- (ff) Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
  - (i) Facilities producing or processing explosives or flammable gases or liquids;
  - (ii) Facilities for animal slaughtering, meat packing, or rendering;
  - (iii) Sulphur plants, rubber reclamation plants, or cement plants, and
  - (iv) Steel mills, foundries, or smelters.
- (ii) Offices or office buildings.
- (mm) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- (nn) Police, fire, and postal stations.
- (oo) Printing and duplicating services.
- (pp) Public utility facilities.
- (qq) Radio, television, and communication studios, transmitting or relay towers, antennae, and other such facilities no greater in height than two hundred (200) feet above the average ground elevation at the perimeter of such structure.
- (tt) Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice ranges, tennis courts, and gymnasiums, and indoor theaters, including drive in theaters.

- (uu) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- (xx) 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.
- (yy) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture.
- (bbb) Schools for business, professional, or technical training requiring outdoor areas for driving or heavy equipment training.
- (ccc) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, 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.
- (ooo) Vehicle repair facilities.
- (ppp) Vehicle service centers.
- (qqq) Vehicle washing facilities.
- (rrr) Warehousing, storage, or wholesaling of manufactured commodities, live animals, explosives, or flammable gases and liquids.
- (sss) Welding, sheet metal, and blacksmith shops.
- (ttt) Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

#### Ancillary Uses:

- (g) Automatic vending facilities for:
  - (i) Ice and solid carbon dioxide (dry ice);
  - (ii) Beverages;
  - (iii) Confections.
- (m) Child care centers, nursery schools, and day nurseries.
- (jj) Outdoor advertising sign (additional to provisions of Section 1003.168.).
- (ll) 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.
- (eee) Permitted signs (See Section 1003.168 'Sign Regulations').

Senior Planner Barbara Weigel gave a power point presentation showing the subject site and surrounding area.

1. Mr. Mike Doster, Doster, James, LLC, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for **P.Z. 30-2002 Edison South Investors, L.L.C.**, stated the following:

- Rezoning from 'M-3' to 'PI' Planned Industrial;
- No known users at this time for this site;
- 'PI' Planned Industrial zoning is more compatible for uses in this particular market;
- Proposed site is 7.123 acres and just east of the airport;
- Complies with the Comprehensive Plan;
- Green space is 25% so the plan will be redrawn to conform to the Design Guidelines requirement of 30% and also to the requests of the Fire District;
- Will eliminate the tower use at the request of the airport;
- Buildings would be similar to those in the Spirit Trade Center.

2. Mr. Chris Mueller, Stock & Associates, 425 North New Ballas Road, Creve Coeur, MO, engineer for **P.Z. 30-2002 Edison South Investors, L.L.C.**, stated the following;

- Speaker stated that electric at Cepi Drive and Edison Avenue would be extended to this site;
- A water main is located on the north side of Edison Avenue;
- An existing sanitary sewer located on Edison Avenue would serve this location and drainage ditches are already in place on the east and west side of the proposed site for storm water drainage;
- Speaker stated that the plan could be modified to connect the sidewalks to the various buildings for pedestrians.

#### COMMENTS/DISCUSSION:

General discussion followed concerning the list of permitted uses.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Ms. Weigel stated that the following issues would be reviewed and addressed:

- Clarifying and modifying sidewalk patterns for pedestrians on the site ;
- Narrowing the list of requested uses;
- Green space requirement being consistent with the Design Guidelines;
- Work with the airport to resolve their issues;
- Whether there is the requirement in the 'PI' Planned Industrial District for parking 50 feet from a tree;
- Necessity for three (3) curb cuts;
- List of uses for the Spirit Trade Center.

**Commissioner Wardlaw read the next portion of the 'Opening Comments.'**

- B. P.Z. 33-2002 City of Chesterfield:** a request to amend Section 1003.020 (Definitions) of the City of Chesterfield Zoning Ordinance to include the following definition:

Ancillary Use. The primary purpose of this use is to serve the occupants and patrons of the principal permitted uses within the building. It is a use permitted within the building containing the principal permitted uses. No separate access from the exterior building shall be permitted with respect to this use.

Project Planner Annissa McCaskill gave an overview of the Zoning Ordinance request for **P.Z. 33-2002 City of Chesterfield.** Ms. McCaskill stated that as the ordinance currently exists, there is not a definition for 'Ancillary Use.'

COMMENTS/DISCUSSION:

Commissioner Banks stated that he felt that the first sentence of the definition is awkward.

Commissioner Broemmer suggested deleting the word 'primary' from the first sentence for clarification.

SPEAKERS IN OPPOSITION – None

SPEAKERS IN FAVOR – None

SPEAKERS – NEUTRAL – None

REBUTTAL: None

Ms. McCaskill stated that the following issue would be reviewed and addressed:

- Wording of the first sentence.

**Commissioner Wardlaw read the closing portion of the ‘Opening Comments.’**

## **V. APPROVAL OF MEETING MINUTES**

Commissioner Broemmer made a motion to approve the January 13, 2003 Meeting Minutes. The motion was seconded by Commissioner Kodner and **passes by a voice vote of 8 to 0.**

## **VI. PUBLIC COMMENT -**

Commissioner Layton stated that since **P.Z. 29-2002 The Bluffs at Appaloosa Way** would be discussed during ‘Public Comment,’ he would excuse himself from the dais. Commissioner Layton stated that he would not participate in any discussions, motions, amendments or vote on the rezoning request for **P.Z. 29-2002 The Bluffs at Appaloosa Way**.

1. Mr. Chris Layton, 16809 Wildhorse Creek Road, Chesterfield, MO 63005, co-petitioner and speaking in favor of **P.Z. 29-2002 The Bluffs at Appaloosa Way**;
  - Speaker stated that his property is included in the rezoning but that the petitioners have no intention of either selling their property or moving;
  - Speaker stated that the Comprehensive Plan calls for ½-acre density on the proposed site and speaker considered this a good opportunity to rezone his property from ‘NU’ Non-Urban to proper zoning for this area;
  - Speaker presented a hand-out that has been passed out by residents against the rezoning;
  - Speaker stated that the developer has left several messages with the neighbors in the subdivision that are against the rezoning.

2. Mr. Mike Doster, 17640 Myrtlewood, Chesterfield, MO, attorney for **P.Z. 29-2002 The Bluffs at Appaloosa Way**;

- Speaker stated that Mayor Nations had invited all interested parties to meet after the last Planning Commission meeting to discuss this petition. Speaker stated that the attorney for the Shearns and Reuthers did not want to meet then.

Mayor Nations stated that the Shearns and Reuthers did not want to wait until the end of the Planning Commission meeting on January 13, 2003 to meet since Mr. Doster had other items on the agenda.

3. Mr. John King, 168 N. Meramec, St. Louis, MO 63105, attorney for **P.Z. 17-2002 Rising Phoenix Development (Reliance Bank)**;

- Speaker stated that he was present to answer questions.

4. Mr. Chris Chiodini, 168 700 Corporate Park Drive, St Louis, MO 63105, architect for **P.Z. 17-2002 Rising Phoenix Development (Reliance Bank)**;

- Speaker stated that he was present to answer questions.

Councilmember Streeter left the meeting.

## **VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:**

Site Plan Committee Chairman Macaluso, made a motion to move **IV. A. Chesterfield Commons East Circuit City Amendment** to the first item under **VII. Site Plans, Building Elevations and Signs**. The motion was seconded by Commissioner Wardlaw and **passes** by a voice vote of 7 to 0. (Commissioner Layton was absent for the vote.)

Commissioner Layton returned to the dais.

- A. Chesterfield Commons East Circuit City Amendment:** a request to amend the previously approved Architectural Elevations for a retail building as part of the Chesterfield Commons East development zoned "PC" Planned Commercial District located south of Chesterfield Airport Road and east of Chesterfield Commons Drive.

Mr. Paul McClellan, of Circuit City, and Mr. Tomas Roof, architect, gave a presentation of the change to the architectural elevations for Circuit City. Mr. McClellan stated that Circuit City has changed their logo and colors nation-wide but will tone down the yellow even more for the Chesterfield Valley location.

Commissioner Layton made a motion to approve the amendment as proposed to the previously approved Architectural Elevations for **Chesterfield Commons East Circuit City** with the revised compromise color on the store front. The motion was seconded by Commissioner Kodner and **passes** by a voice vote of 8 to 0.

The Planning Commission returned to the Site Plan Agenda.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the amendment as proposed to the previously approved Architectural Elevations for **Chesterfield Commons East Circuit City** with the revised compromise color on the store front surrounding the logo. The motion was seconded by Commissioner Kodner and **passes** by a voice vote of 8 to 0.

- B. **Davis Street Land Company, L.L.C.:** Site Development Plan, Architectural Elevations, and Landscape Plan for two retail buildings on a 1.983 acre tract of land, zoned "PC" Planned Commercial District, located between Clarkson Road and Old Baxter Road, south of Chesterfield Parkway East.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Architectural Elevations and Landscape Plan for **Davis Street Land Company, L.L.C.** with the addition of a plan in place for pedestrian cross access movement to the next site when appropriate. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 8 to 0.

Commissioner Wardlaw suggested that the petitioner ask for a variance to combine the loading dock and the trash enclosure location.

- C. **St. Louis County Library (Samuel Sachs Branch):** Amended Landscape Plan

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Landscape Plan for **St. Louis County Library (Samuel Sachs Branch)**. The motion was seconded by Commissioner Layton and **passes** by a voice vote of 8 to 0.

- D. **Junior Achievement Dennis and Judy Jones Free Enterprise Center:** Site Development Plan, Architectural Elevations, and Landscape Plan for a new institutional building on a 5.3 acre tract of land zoned "PI" Planned Industrial District located north of North Outer Forty Road and west of Boones Crossing.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Architectural Elevations and Landscape Plan for **Junior Achievement Dennis and Judy Jones Free Enterprise Center**. The motion was seconded by Commissioner Wardlaw and **passes** by a voice vote of 8 to 0.

- E. **Chesterfield Commons Village**: Site Development Section Plan, Architectural Elevations, and Landscape Plan for a mixed-use development as part of the Chesterfield Commons project zoned "C-8" Planned Commercial District located north of Chesterfield Airport Road and west of JW Drive.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Architectural Elevations and Landscape Plan for **Chesterfield Commons Village**. The motion was seconded by Commissioner Layton and **passes** by a voice vote of 8 to 0.

- F. **Randall Stegmann Commercial Services Procedure**: A Site Development Plan for a 1.17 acre site zoned "R-2" with a Commercial Services Procedure located on the south side of Olive Boulevard approximately 100 feet from Westbury Drive.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan for **Randall Stegmann Commercial Service Procedure**. The motion was seconded by Commissioner Layton.

Commissioner Broemmer made an amendment to the motion that if the signage is on the mailbox, the sign will be no higher than the existing mailbox post. The amendment to the motion was seconded by Commissioner Wardlaw.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Kodner, no; Commissioner Layton, yes; Commissioner Macaluso, no; Commissioner Right, yes; Commissioner Wardlaw, yes; Chairman Sherman, yes.

The amendment to the motion passed by a vote of 6 to 2.

The motion, as amended, was approved by a voice vote of 8 to 0.

## VIII. OLD BUSINESS -

- A. **P.Z. 17-2002 Rising Phoenix Development (Reliance Bank)**: A request for a change of zoning from a "C-8" Planned Commercial District to a "P-C" Planned Commercial District for a 1.4 acre tract of land located on Wildhorse Creek Road, approx. 550 feet southeast Long Road in a subdivision known as "Dugsford Commons."

Project Planner David Bookless gave an overview of **P.Z. 17-2002 Rising Phoenix Development (Reliance Bank)** and asked the Planning Commission if they had additional issues to be reviewed and addressed. Mr. Bookless stated that the throat distance at the entrance has been extended by removing a parking space.

Mr. Bookless stated that it was recommended that the petitioner do an internal circulation study but instead the petitioner revised their plan.

Commissioner Broemmer stated that he would like the landscape buffer reviewed concerning this proposed development and the existing residential development to the east.

Commissioner Macaluso stated that she would like the Department of Public Works to re-look specifically at the entrance off Wildhorse Creek Road to see if the entrance is wide enough for the gas station, bank and convenience store to use only one (1) access.

Chairman Sherman stated that she would like to know if there is enough of a setback for queuing of the cars.

## IX. NEW BUSINESS - None

## X. COMMITTEE REPORTS:

### A. Committee of the Whole

Ms. Price stated that a Committee of the Whole meeting would be held on January 29, 2003 at 5:30 p.m. at City Hall, to finish review of the Comprehensive Plan Update.

### B. Ordinance Review Committee

Committee Chairman Layton suggested that the next meeting of the Ordinance Review Committee be a separate meeting and not before the Planning Commission meeting to give the Committee more time for discussion.

### C. Architectural Review Committee

### D. Landscape Committee

- E. Comprehensive Plan Committee**
- F. Procedures and Planning Committee**
- G. Landmarks Preservation Commission**

Commissioner Broemmer suggested that petitioners limit their list of permitted use requests.

General discussion followed concerning permitted use requests.

City Attorney Beach stated that the Zoning Ordinance is not necessarily being changed but being formatted differently.

Chairman Sherman directed Staff to begin drafting ideas for any revisions to guidelines for the Zoning Ordinance.

The meeting unanimously adjourned at 8:21 p.m.

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Jerry Right, Secretary

