

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JANUARY 25, 2010**

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

I. ROLL CALL

PRESENT

ABSENT

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

Mayor John Nations
Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Mr. Mike Geisel, Director of Planning & Public Works
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Kristian Corbin, Project Planner
Mr. Shawn Seymour, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Mayor John Nations; Councilmember Connie Fults, Council Liaison; Councilmember Barry Flachsbart, Ward I; and Councilmember Bob Nation, Ward IV.

IV. PUBLIC HEARINGS – Commissioner Proctor read the “Opening Comments” for the Public Hearing.

- A. **P.Z. 15-2009 Chesterfield Airport Commerce Park (Insituform Technologies Inc.):** A request for a new public hearing to amend the legal description for the change of zoning from “PC” Planned Commercial District, “PI” Planned Industrial District, and “M3” Planned Industrial District to a new “PI” Planned Industrial District for three tracts of land located at 17970 Chesterfield Airport Road, 609 Cepi Drive and 17975 Edison Avenue (17v240153, 17v240331 and 17v330311).

STAFF PRESENTATION:

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

- All State and local public hearing notification requirements have been met for this petition.
- The petition was originally heard at the December 14, 2009 Public Hearing, which introduced the change of zoning. An Issues Meeting was subsequently held on January 11th.
- The purpose of the current public hearing is to add the additional parcel (17975 Edison Avenue) to the petition.
- 17975 Edison was zoned “M3” Planned Industrial District prior to the incorporation of the City of Chesterfield and is currently governed by Ordinance 2264.
- The City’s Comprehensive Land Use Plan designates the site as *Service/Business Park*.

PETITIONER’S PRESENTATION:

Mr. Chris Mueller, Stock & Associates Consulting Engineers – representing Insituform, 257 Chesterfield Business Parkway, St. Louis, MO 63005 stated that the purpose of the public hearing is to add to the petition a remnant piece of property, which Insituform has owned for ten years.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

Commissioner Proctor read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the January 11, 2010 Planning Commission Meeting. The motion was seconded by Commissioner Puyear and **passed** by a voice vote of 8 to 0.

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS - None

VIII. OLD BUSINESS

- A. **P.Z. 13-2007 City of Chesterfield (Residential Districts, Planned Unit Development Ordinance, and Residential Tear Downs and Additions)**: An ordinance repealing sections 1003.105, 1003.106, 1003.107, 1003.108, 1003.109, 1003.110, 1003.112, 1003.113, 1003.115, 1003.117, 1003.119, 1003.120, 1003.120A, 1003.121, 1003.123, and 1003.125 of the City of Chesterfield Zoning Ordinance and creating new sections to address the development standards of the Residential Zoning Districts and repealing section 1003.187 of the City of Chesterfield Zoning Ordinance to create a new section to address Planned Unit Developments and repealing section 1003.126B of the City of Chesterfield Zoning Ordinance to create a new section 1003.126 to address Residential Tears Downs and Additions.

Chair Hirsch complimented Mr. Seymour and members of the Staff for “the excellent work done on this Ordinance”.

Project Planner Shawn Seymour stated that the Public Hearing was held on February 9, 2009 with a subsequent Issues Meeting on July 27, 2009. At that time, the Planning Commission sent the petition back to the Ordinance Review Committee for further modifications. The Ordinance Review Committee met several times on this petition. Following is a summary of the major modifications being proposed:

- The *Floor Area Ratio (FAR) standard* has been removed from the Residential Zoning Districts;
- The *Purpose Statement* has been modified on the Tear Downs and Additions Ordinance; and
- The requirement for *utilization of current residential zoning districts’ development standards when acquiring PUD zoning* has been removed from the Planned Unit Development Ordinance.

Chair Hirsch noted that the Ordinance Review Committee strived to establish a set of consistent standards across all of the zoning districts. Mr. Seymour added that a lot of the work – especially with the Residential Zoning Districts – has been an amalgamation of the changes that were made throughout the years to various development standards, ordinances, and zoning districts. These have been put together to read consistently throughout the entire Zoning Ordinance.

Chair Hirsch pointed out that the Committee also tried to clear up the public's confusion with respect to lot sizes and density. In the Residential Districts, Petitioners will now zone for density and then choose either straight zoning or a Planned Unit Development (PUD). With a PUD, the Petitioner is set with a specific density of the zoning district and then is able to negotiate with the City in terms of the various Performance Standards.

Commissioner Geckeler asked Mr. Seymour to elaborate on the *FAR standard* which has been removed. Mr. Seymour stated that trying to come up with appropriate numbers and values to calculate a FAR standard proved difficult to define correctly. Research was done locally, state-wide, and nationally for appropriate numbers. In addition, comments were taken from the Home Builders Association on how they felt a FAR standard would impact their current and potential developments.

Staff then reviewed what had originally been developed in the City; observed what was being done with additions and tears downs; and reviewed the Planned Environmental Unit of the Planned Unit Development Ordinance. When applying the draft FAR values to these types of development, nothing was approaching these numbers or the limitations of floor area. As a result, the Committee felt that the standard could be removed.

Commissioner Banks expressed his concern that the changes made to the Tear Downs and Addition Ordinance has taken away the City's control over additions and tear downs. As a result, he will be voting against approval of this petition.

Mayor Nations disagrees that giving the City more control over additions and tear downs "necessarily makes it better". He feels that the City should never make it more difficult for people to invest in the City's neighborhoods – particularly in the older neighborhoods. He pointed out that even without the Tear Downs and Additions Ordinance, the City still has the underlying zoning districts which govern what can be built on a lot. Homeowners are still subject to the original setbacks and everything that was part of the original subdivision. His position is that if a homeowner could have built a structure legally at the time of new construction, the City should not make it difficult or impossible to build it now.

Commissioner Banks stated that the objective was never to make it difficult for homeowners – the objective was to set some standard that would allow "an

orderly progression of new building in existing subdivisions". He is been especially concerned about those subdivisions with lots of half acres or less.

Commissioner Grissom made a motion to approve P.Z. 13-2007 City of Chesterfield (Residential Districts, Planned Unit Development Ordinance, and Residential Tear Downs and Additions). The motion was seconded by Commissioner Nolan.

Upon roll call, the vote was as follows:

**Aye: Commissioner Watson, Commissioner Grissom,
Commissioner Nolan, Commissioner Proctor,
Commissioner Puyear, Chairman Hirsch**

Nay: Commissioner Banks, Commissioner Geckeler

The motion passed by a vote of 6 to 2.

Councilmember Fults asked that Staff prepare a table outlining the proposed changes for the upcoming Planning & Public Works Committee meeting.

- B. P.Z. 15-2009 Chesterfield Airport Commerce Park (Insituform Technologies Inc.):** A request for a new public hearing to amend the legal description for the change of zoning from "PC" Planned Commercial District, "PI" Planned Industrial District, and "M3" Planned Industrial District to a new "PI" Planned Industrial District for three tracts of land located at 17970 Chesterfield Airport Road, 609 Cepi Drive and 17975 Edison Avenue (17v240153, 17v240331 and 17v330311).

Project Planner Kristian Corbin stated that the original Public Hearing was held on December 14, 2009 with a subsequent Issues Meeting on January 11, 2010. The Public Hearing to add the additional parcel to the change of zoning request was held earlier this evening. After the Issues Meeting, the following issues were left to be resolved:

- Access off of Chesterfield Airport Road: This issue has been resolved and has been incorporated into the Attachment A.
- Access points along Cepi Drive meeting the Access Management requirements: This issue has been resolved and is reflected on the Preliminary Plan.
- Clarification on the uses of the site and those uses that are not being permitted along Chesterfield Airport Road: The Petitioner has agreed to restricting eight uses from Chesterfield Airport Road. These restrictions have been incorporated into the Attachment A and are also shown in Exhibit 1 as an attachment to the Attachment A.

All issues have been addressed and are closed.

Commissioner Banks made a motion to approve P.Z. 15-2009 Chesterfield Airport Commerce Park (Insituform Technologies Inc.). The motion was seconded by Commissioner Watson.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passed by a vote of 8 to 0.

IX. NEW BUSINESS

Ms. Aimee Nassif, Planning & Development Services Director, stated that the Public Hearing for the parking revisions chapter will be presented at the February 22nd Planning Commission meeting.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:26 p.m.

Michael Watson, Secretary