

CORRECTED
PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
January 12, 2004

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

I. PRESENT

ABSENT

Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Mr. Dan Layton, Jr. (arrived at 7:24 p.m.)
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. B. G. Wardlaw
Chairman Victoria Sherman
Mayor John Nations
Ms. Mary Brown, Council Liaison
Mr. Rob Heggie, Acting City Attorney
Ms. Teresa Price, Director of Planning
Mr. David Bookless, Project Planner
Mr. Kyle Dubbert, Project Planner
Mr. Michael Hurlbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Kathy Lone, Planning Assistant

II. INVOCATION: Commissioner Perantoni

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Councilmember Bruce Geiger (Ward II); Councilmember Connie Fults (Ward IV), and Council Liaison Mary Brown (Ward IV).

IV. PUBLIC HEARINGS: None

V. APPROVAL OF MEETING MINUTES

Commissioner Banks made a motion to approve the December 8, 2003 Meeting Minutes, as amended. The motion was seconded by Commissioner Perantoni and **passes** by a **voice vote of 8 to 0**. (Commissioner Layton was absent for the vote.)

VI. PUBLIC COMMENT -

1. Mr. Bill Decker, Gray Design Group, 9 Sunnen Drive, St. Louis, MO 63143, engineer and speaking in favor of **P.Z. 25-2003 Precision Eatherton**;

- Speaker stated the open space requirement for areas without sanitary systems is currently 50% and this petition is at 47% with approval for temporary sanitary from MSD. Speaker stated that the Levee District is reviewing taking over the development of the sanitary system and clean water for this area. Speaker asked that the requirement for a 50% open space be reduced to 47% in order to develop this site with the condition that sanitary will be installed in the future at MSD's direction and in accordance with the Levee District;
- Speaker stated that to meet the 50% open space requirement would depose of 17 parking spaces that are needed for the business;
- Speaker stated that all other issues have been resolved.

2. Mr. Jerry Ebest, Dierberg's, 11690 Swingley Ridge Road, Chesterfield, MO, speaking in favor of **P.Z. 11-2003 Capitol Land Company**;

- Speaker presented revised elevations of the Barnes & Noble building;
- Speaker stated that the petitioner has met with neighboring developers, elected officials and Staff;
- Speaker stated there would be faux windows and awnings in the rear of the Barnes & Noble building;
- Speaker stated that acquisition of right-of-way has been worked out with the City of Chesterfield;
- Speaker stated that ingress and egress arrangements have been worked out with Shops at Clarkson Corner and Drew Station;
- Speakers stated that pedestrian walkways will be used;
- Speaker stated that building placement and landscaping have been changed to work with the Drew Station development;
- Speaker stated that there would be a berm adjacent to the Barnes & Noble building with plantings so there would be more green area available to the residents at the rear of the development;
- Speaker stated that parking is now at 257 spaces using a ratio of 4.5/1000;
- Speaker stated that the rooftop mechanical would be hidden;
- Speaker stated that the petitioners are working with Staff on the detention.

Mayor John Nations stated that he is grateful for the cooperation of the three (3) developers of Davis Street (Shops at Clarkson Corner), Capital Land (Barnes & Noble) and Drew Station and Councilmembers in coordinating these developments.

Commissioner Layton arrived at the meeting at 7:24 p.m.

Commissioner Perantoni expressed concern with the building height comparison being measured from the ridge of the ***gabled*** roofs, the elevations being very flat and concern with the permitted uses of kennels and automotive garages.

Mayor Nations stated that the neighboring residents like the way that the rear of the Talbot's building looks and are concerned with how the rear of the Barnes & Noble building will look.

Commissioner Broemmer stated that the building materials did not appear residential looking.

3. Mr. Michael Mindlin, Suttle Mindlin, 23 North Bemiston, Clayton, MO, architect and speaking in favor of **P.Z. 11-2003 Capitol Land Company**;

- Speaker stated that there will be sidewalk access to the Shops at Clarkson Corner and Drew Station;
- Speaker stated that the parking lot plan has been revised to add four (4) more shade trees;
- Speaker stated that trees #51-#59 had been eliminated from the beginning;
- Speaker stated that the revised elevation measures the same as Talbot's at 24 feet at the top of the building;
- Speaker stated that these three (3) developments should not all be alike but add diversity.

4. Mr. Marty Henson, 11692 Westline Industrial Drive, St. Louis, MO 63146, speaking in favor of **P.Z. 11-2003 Capitol Land Company**;

- Speaker stated that there will be a cross access easement to the adjoining site, as was requested;
- Speaker stated that shrubs have been added along Old Baxter Road in addition to the trees;
- Speaker stated that two (2) bicycle racks will be added;
- Speaker stated that he has sent a letter to Mr. Mike Geisel, Director of Public Works, requesting that the developer not be required to dredge Century Lake.

Mayor Nations stated that when it rains Old Baxter Road and Century Lake become brown from the mud. Mayor Nations stated that this did not occur before the houses were removed from the development area.

6. Mr. Bob Goetz, 909 South Gore, St. Louis, MO, landscape architect and speaking in favor of **P.Z. 11-2003 Capitol Land Company**;

- Speaker stated that he was present to answer landscaping questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Chesterfield Business Park, Outlot 2 (Cambridge Daycare)**: Amended Site Development Section Plan, Landscape Plan, and Architectural Elevations for a child care center building, zoned “PI” Planned Industrial District, located on a 1.72-acre tract of land on Chesterfield Business Parkway, south of Chesterfield Airport Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Section Plan, Landscape Plan and Architectural Elevations for **Chesterfield Business Park, Outlot 2 (Cambridge Daycare)**, with the condition to include the following Architectural Review Board (ARB) recommendation to screen the HVAC units if located on the roof or add additional plantings if the units are located on the ground. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 9 to 0.

Commissioner Broemmer stated that he is concerned that there will be a parking problem with this project.

- B. **Towne Centre**: Revised Architectural Elevations for a two-story retail commercial center zoned "PC" Planned Commercial District, located on Long Road south of Edison Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Revised Architectural Elevations for **Towne Centre**. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 9 to 0.

- C. **Chesterfield Commons Four**: Amended Site Development Concept Plan and Landscape Plan for a 21.643-acre tract of land zoned “PI” Planned Industrial District, located south of Chesterfield Airport Road, west of the Chesterfield Commons West.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Concept Plan and Landscape Plan for **Chesterfield Commons Four**. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 9 to 0.

- D. **Chesterfield Commons West:** Amended Site Development Concept Plan and Landscape Plan for a 28.8-acre tract of land zoned “PC” Planned Commercial District, located south of Chesterfield Airport Road, west of the Chesterfield Commons.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Amended Site Development Concept Plan and Landscape Plan for **Chesterfield Commons West**. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 9 to 0.

- E. **Chesterfield Commons West, Outparcel 1 (Applebee's Restaurant):** Site Development Section Plan, Landscape Plan, and Architectural Elevations for a 1.44-acre tract of land, zoned "PC" Planned Commercial District, located on Chesterfield Airport Road, east of Public Works Drive.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Landscape Plan and Architectural Elevations for **Chesterfield Commons West, Outparcel 1 (Applebee's Restaurant)** with the condition that a site plan be included with the revised elevations showing how the HVAC will be screened by the parapets. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 9 to 0.

- F. **Spirit Plaza** - A Site Development Plan, Landscape Plan, and Architectural Elevations for a proposed retail building on Lot 2B of the Chesterfield Industrial Park development, zoned “PI” Planned Industrial District located south of Chesterfield Airport Road and west of Chesterfield Industrial Boulevard.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Landscape Plan and Architectural Elevations for **Spirit Plaza**. The motion was seconded by Commissioner Wardlaw and **passes** by a voice vote of 9 to 0.

- G. **Chesterfield Commons Six:** a Site Development Concept Plan for a proposed development consisting of seven outparcels, zoned “C-8” Planned Commercial District located north of Chesterfield Airport Road and west of RHL Drive.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Concept Plan for **Chesterfield Commons Six**. The motion was seconded by Commissioner Banks and **passes** by a voice vote of 9 to 0.

- H. **Drury Plaza**: a Record Plat for a 4.851 acre tract of land zoned “PC” Planned Commercial District, located south of Outer 40 Road and west of Clarkson.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for **Drury Plaza**. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 9 to 0.

VIII. OLD BUSINESS –

- A. **P.Z. 25-2003 Precision Eatherton**: A request for a change in zoning from an “NU” Non-Urban District to “PC” Planned Commercial District for an approximately 2.9-acre tract of land located at 454 North Eatherton Road (Locator No. 18W-43-0068).

Project Planner David Bookless gave an overview of **P.Z. 25-2003 Precision Eatherton**. Mr. Bookless stated that Attachment A includes a 50% green space requirement but is reducible to 30% pending installation of a permanent sanitary sewer. Mr. Bookless stated that MSD stated that they will not allow septic or pump and haul for the site but will allow a temporary sewer system which would allow the petitioner to connect to a neighbor’s system until such time as the permanent sewer has been installed.

Commissioner Broemmer stated that, as liaison to the Chesterfield Valley Study Committee, the Committee made an unanimous recommendation to proceed with 30% and MSD has indicated that this is acceptable to them.

General discussion followed concerning the green space percentage.

Commissioner Hirsch made a motion to accept Attachment A, as presented, with the following change:

Attachment A, page 2, **II. FLOOR AREA, HEIGHT, BUILDING AND PARKING REQUIREMENTS**, A., 3. Building Requirements, a. Greenspace: ‘Until such time as the connection of the site to a permanent sanitary sewer system, a minimum of ~~fifty~~ **forty-seven** percent ~~(50%)~~ **(47%)** greenspace is required for this development. Greenspace is determined by a fraction: the numerator of which is all green area plus all non-paved surfaces, the denominator of which is the total area of the site minus the area of the pedestrian access ways as approved by the City of Chesterfield. Upon connection to sanitary sewer, a minimum of thirty percent (30%) greenspace is required for this development.’

The motion was seconded by Commissioner O’Connor.

Commissioner Banks made an amendment to the motion to remove the last sentence from the above paragraph:

Attachment A, page 2, **II. FLOOR AREA, HEIGHT, BUILDING AND PARKING REQUIREMENTS**, A., 3. Building Requirements, a. Greenspace: ‘Until such time as the connection of the site to a permanent sanitary sewer system, a minimum of fifty percent (50%) greenspace is required for this development. Greenspace is determined by a fraction: the numerator of which is all green area plus all non-paved surfaces, the denominator of which is the total area of the site minus the area of the pedestrian access ways as approved by the City of Chesterfield. ~~Upon connection to sanitary sewer, a minimum of thirty percent (30%) greenspace is required for this development.~~

The amendment to the motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Broemmer, no; Commissioner Hirsch, no; Commissioner Layton, no; Commissioner Macaluso, yes; Commissioner O’Connor, no; Commissioner Perantoni, no; Commissioner Wardlaw, no; Chairman Sherman, yes.

The amendment to the motion fails by a vote of 3 to 6.

Vote on the original motion:

Attachment A, page 2, **II. FLOOR AREA, HEIGHT, BUILDING AND PARKING REQUIREMENTS**, A., 3. Building Requirements, a. Greenspace: ‘Until such time as the connection of the site to a permanent sanitary sewer system, a minimum of ~~fifty~~ **forty-seven** percent ~~(50%)~~ **(47%)** greenspace is required for this development. Greenspace is determined by a fraction: the numerator of which is all green area plus all non-paved surfaces, the denominator of which is the total area of the site minus the area of the pedestrian access ways as approved by the City of Chesterfield. Upon connection to sanitary sewer, a minimum of thirty percent (30%) greenspace is required for this development.’

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O’Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Chairman Sherman, yes.

The motion passes by a vote of 9 to 0.

- B. P.Z. 26-2003 City of Chesterfield (Lighting Ordinance):** A request to amend the City of Chesterfield Zoning Ordinance for the establishment of a unified ordinance to establish lighting criteria.

Project Planner Aimee Nassif gave an overview of **P.Z. 26-2003 City of Chesterfield (Lighting Ordinance)**.

Commissioner Broemmer suggested the following change on page 10 of Attachment A:

13. EXEMPTIONS.

- 1) “Grandfathered” Existing fixtures. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of this Code are exempt from all requirements of it unless **it involves:**
 - a) **removing and replacing existing light fixtures with fixtures that will increase the footcandle level above the level originally approved ;**
 - b) ~~an increase to the original footcandle level; or~~
 - c) Fossil Fuel Light.

General discussion followed concerning shielding.

Commissioner Banks made a motion to approve **P.Z. 26-2003 City of Chesterfield (Lighting Ordinance)**, as written. The motion was seconded by Commissioner Layton.

Commissioner Broemmer made an amendment to the motion for the following on page 10 of Attachment A:

13. EXEMPTIONS.

- 1) “Grandfathered” Existing fixtures. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of this Code are exempt from all requirements of it unless **it involves:**
 - a) **removing and replacing existing light fixtures with fixtures that will increase the footcandle level above the level originally approved or changes the shielding of the fixture from what was originally approved;**
 - b) ~~an increase to the original footcandle level; or~~
 - c) Fossil Fuel Light.

The amendment to the motion was seconded by Commissioner Wardlaw.

General discussion followed concerning height of the light standards.

Ms. Nassif stated that light standards are approved individually by Planning Commission.

The amendment to the motion was accepted by Commissioner Banks and Commissioner Layton.

Upon a roll call the vote was as follows: Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O’Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Chairman Sherman, yes.

The motion, as amended, passes by a vote of 9 to 0.

- C. **P.Z. 36-2003 City of Chesterfield (Off-Street Parking for Display Homes):** A request to amend Section 1003.165 (F) of the Zoning Ordinance to include off-street parking requirements for display homes.

Project Planner Aimee Nassif gave an overview of **P.Z. 36-2003 City of Chesterfield (Off-Street Parking for Display Homes)**.

Commissioner Broemmer made a motion to approve **P.Z. 36-2003 City of Chesterfield (Off-Street Parking for Display Homes)**. The motion was seconded by Commissioner Banks.

Upon a roll call the vote was as follows: Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Commissioner Banks, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Chairman Sherman, yes.

The motion passes by a vote of 9 to 0.

- D. **P.Z. 11-2003 Capitol Land Company:** a request for a change of zoning from a "C-8" Planned Commercial District to a "PC" Planned Commercial District for 6.494 acre tract of land located north of Lea Oaks Drive, east of Clarkson Road, west of Old Baxter Road, and south of Chesterfield Parkway East. (Locator Numbers: 19S420349, 19S420404, 19S420305, 19S440512, 19S440161, 19S420130).

The requested amendment is to allow the following permitted uses:

- (b) Animal hospitals, veterinary clinics, and kennels.
- (e) Associated work and storage areas required by a business, firm, or service to carry on business operations.
- (g) Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
- (h) Barber shops and beauty parlors.
- (i) Bookstores.
- (o) Dry cleaning drop-off and pick-up stations.
- (q) Film drop-off and pick-up stations.
- (s) Financial institutions.
- (w) Local public utility facilities, provided that any installation, other than poles and equipment attached to poles, shall be:
 - (i) Adequately screened with landscaping, fencing, or walls, or any combinations thereof; or
 - (ii) Placed underground; or

- (iii) Enclosed in a structure in such manner so as to blend with and complement the character of the surrounding area.
- (x) Medical and dental offices.
- (y) Offices or office buildings.
- (cc) 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.
- (dd) Police, fire, and postal stations.
- (ee) Public utility facilities.
- (ii) Restaurants, sit down,
- (pp) Permitted signs (see Section 1003.168 'Sign Regulations').
- (tt) Stores, shops, markets, service facilities and automatic vending machines in which goods or services of any kind, including indoor sale of motor vehicles, are offered for sale or hire to the general public on the premises.

The following use listed above is excluded:

- (tt) Indoor sale of motor vehicles.

Project Planner Michael Hurlbert gave an overview of **P.Z. 11-2003 Capitol Land Company** and asked the Commission if they had additional issues to be reviewed and addressed.

Commissioner Broemmer suggested that, in order to make the building more residential looking, it be constructed of brick with composition shingle roof on the canopy.

Commissioner Macaluso and Commissioner Banks expressed concern that the **4/1000** parking ratio may be too small for the shopping center.

Commissioner Perantoni expressed concern with the architectural form, especially in the rear and with the flatness of the facade. Commissioner Perantoni also expressed concern with permitted uses (b) Animal hospitals, veterinary clinics and kennels, and (cc) 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.

Commissioner Hirsch asked if there was a way to look at all three (3) projects (Shops at Clarkson Corner, Barnes & Noble and Drew Station) from Old Baxter Road and Clarkson Road to see the buildings in relation to each other.

Commissioner Perantoni asked for a perspective rendering of the site.

Chairman Sherman stated that **P.Z. 11-2003 Capitol Land Company** would be held until all issues are reviewed and addressed.

IX. NEW BUSINESS – None

X. COMMITTEE REPORTS:

- A. Committee of the Whole**
- B. Ordinance Review Committee**
- C. Architectural Review Committee**
- D. Landscape Committee**
- E. Comprehensive Plan Committee**
- F. Procedures and Planning Committee**
- G. Landmarks Preservation Commission**

Commissioner Broemmer stated that he would provide a copy of the meeting minutes of the Chesterfield Valley Study Committee to the Commission.

Chairman Sherman stated that Committee meetings are being scheduled.

The meeting unanimously adjourned at 8:40 p.m.

B. G. Wardlaw, Secretary

