

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
MEETING SUMMARY
DECEMBER 13, 2021**

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

I. ROLL CALL

PRESENT

ABSENT

Commissioner Caryn Carlie
Commissioner Allison Harris
Commissioner John Marino
Commissioner Debbie Midgley
Commissioner Nathan Roach
Commissioner Jane Staniforth
Commissioner Guy Tilman
Commissioner Steven Wuennenberg
Chair Merrell Hansen

Councilmember Mary Monachella, Council Liaison
Mr. Nathan Bruns, representing City Attorney Christopher Graville
Mr. Justin Wyse, Director of Planning
Mr. Mike Knight, Assistant City Planner
Ms. Shilpi Bharti, Planner
Mr. Chris Dietz, Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Hansen acknowledged the attendance of Councilmember Mary Monachella, Council Liaison; Councilmember Mary Ann Mastorakos, Ward II; Councilmember Michael Moore, Ward III; Councilmember Dan Hurt, Ward III; Councilmember Gary Budoor, Ward IV; former Mayor Bruce Geiger; and former Planning Commissioner Laura Lueking.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS - Commissioner Staniforth read the "Opening Comments" for the Public Hearings.

- A. P.Z. 08-2021 McBride Byrne LLC (Boone's Ridge):** A request for a zoning map amendment from an "NU" Non-Urban District and "E-1AC" Estate District to an "E-1/2AC" Estate District with a Wild Horse Creek Overlay District designation for a 26.8 acre tract of land located on the north side of Wild Horse Creek Road and across from Wildhorse Parkway Drive (18V520115, 18V520126, 18V520160, 18V520027, 18V510381).

STAFF PRESENTATION:

Mr. Mike Knight, Assistant City Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Knight then provided the following information about the subject site:

Request

McBride Byrne, LLC is proposing to develop 36 single-family homes on approximately 26.8 acres.

The site is located within the Wild Horse Sub Area (also known as *the Bow Tie*) and is required to zone in the Wild Horse Creek Road (WH) Overlay District. Properties within this sub-area do not qualify for a "PUD" Planned Unit Development and may only rezone to an Estate District category. Thus the development team's request is a zoning map amendment to an "E1/2 AC" Estate District with Wild Horse Creek Road Overlay District.

Site History

The site is currently zoned "NU" Non-Urban District and "E-1AC" Estate District with a Conditional Use Permit.

The portion zoned **Non-Urban** is mainly undeveloped with several homes over the 18+ acres.

The portion zoned "**E-1AC**" **Estate District** had two different applications submitted over the years to construct office buildings, and later a senior living facility. Neither of these developments came to fruition, and the property is currently vacant/undeveloped.

Comprehensive Plan

The entire subject site falls within the *Suburban Neighborhood* land use designation, which is described as land typically developed as a neighborhood for single-family detached homes with uniform housing densities. *The proposed development would be comprised of 36 single-family detached homes.*

Suburban Neighborhood Policies

1. Encourage preservation of existing residential neighborhood's identity.
This will be largely controlled through the Wild Horse Overlay District.
2. New residential development should reinforce existing residential development patterns by continuing to reinforce high quality site and subdivision design, layout, and planning practices.
The site would have the exact zoning designation as Bur Oaks connected to the west.
3. Uncover the anticipated expense (cost of municipal infrastructure) for each new or re-developed residential development.
Once constructed, the road way and adjoining sidewalks would be additional municipal infrastructure maintenance cost in an amount typical of a single family residential development.

WH Overlay District

The intent of the WH Overlay District is to protect and maintain the scenic character of Wild Horse Creek Road by ensuring compatibility through site design and regulation of

activity so development does not adversely affect the character of the neighborhood. It was noted that the WH Overlay was established with a great amount of input from residents in the area, and this part of the bowtie area was designated the half-acre density.

Minimum Performance Standards

City Code requires *Minimum Performance Standards* and references community amenities, such as a community center, nature preserve areas, park, lake, recreation areas, and other similar uses and amenities, are required for all residential development and shall be shown on any preliminary plan and/or site development plan. City Code also defines specific design requirements for the overlay district. An applicant may request modifications to the design requirements.

Modification Requests

The applicant is requesting the following three modifications to the specific design requirements:

1. 10' side yard setback vs 15'
2. 20' setback between structures vs 30'
3. Landscape buffer out of common ground for two lots on the eastern perimeter

The applicant has noted that the two setback modifications would allow for homes to be built with three-car garages. Approval of the landscape buffer modification would allow the two lots on the eastern perimeter to be larger.

Mr. Knight explained that each modification shall require a separate, super majority [two-thirds] vote by the City Council for approval.

Preliminary Development Plan

The Preliminary Development Plan shows three public roadways; one access from Wild Horse Creek Road; an internal stub street with a turn-around on the east side of the site; a sidewalk along Wild Horse Creek Road frontage; sidewalks on both sides of the internal streets; a pickleball court; and clustered mailbox units as required by the Post Office.

It was noted that there is a small area on Lot 35A within the 65 DNL line. Staff is working with the development team to adjust the lot so that it does not fall within the DNL line.

If there are concerns about increased traffic causing delays or safety issues along Wild Horse Creek Road, a Traffic Impact Study could be required at the time of Site Development Plan submittal. Since Wild Horse Creek Road is owned and maintained by MoDOT, any improvements to it would require approval from MoDOT. As such, the Preliminary Development Plan does provide for a 10-foot wide roadway dedication along the entire frontage of Wild Horse Creek Road.

Discussion

Responding to questions from the Commission, Staff provided the following information.

Density/Lot Sizes

The overall density of the site must be ½ acre, but the WH Overlay District allows for lots to go down to 15,000 sq. ft. vs. 21,780 sq. ft. required for the E1/2 "AC" Estate District.

Stub Street/Turn-around

The temporary turn-around / cul-de-sac area will be constructed of asphalt so it can be easily removed when the stub street is connected. The turn-around is required by City code to accommodate trash trucks and emergency vehicles.

PETITIONER'S PRESENTATION:

1. Ms. Jeannie Aumiller, McBride Homes, 17415 North Outer Forty Road, Chesterfield, MO.
2. Mr. Mike Falkner, Project Engineer, 5055 New Baumgartner Road, St. Louis, MO – available for questions

Ms. Aumiller stated that McBride Homes is partnering with Claymont Development LLC to build their luxury products for the subject site. She then provided the following information about the proposed development:

Property Details

The property is part of the "bowtie" area, and is surrounded by residential land uses and a school daycare.

Residential Consistency

Homes are consistent with homes in the neighboring subdivisions. The development will have the same look and feel along Wild Horse Creek Road with substantial landscaping and none of the homes being adjacent to the road.

E-½ AC Wild Horse Overlay District

City code requires a rezoning to the Wild Horse Overlay District for this site. The applicant feels strongly that the ½-acre designation fits well with the surrounding uses. Ms. Aumiller pointed out that E-½ zoning is immediately adjacent to this site. They are proposing 36 lots on nearly 27 acres which is a density of 1.3 units per acre compared to E-1/2 acre density of 2 lots per acre, which would allow 52 lots.

Lot Sizes

Lot sizes are above 15,000 sq. ft. and go up to nearly 23,000 sq. ft.

Design Features and Amenities

Design features include luxury single-family homes with three and four-car garages; an internal roadway system consisting of new roads; a 50-foot lush landscape buffer along Wild Horse Creek Road; preservation of slopes and natural features; nine acres (33%) of common ground including walking trails, sidewalks, and a pickleball court; and five acres (35%) of tree preservation.

The site would have one entrance on Wild Horse Creek Road, and would be connected to the adjacent Bur Oaks subdivision.

Modification Requests

1. 10' side yard setback vs 15'
2. 20' setback between structures vs 30'
3. Landscape buffer out of common ground for two lots on the eastern perimeter

The reduced setbacks are being requested in order to accommodate homes with three or four-car garages.

Regarding the landscape buffer modification for Lots 1B and 2B, Ms. Aumiller stated that they have been working with the adjacent property owner on providing significantly enhanced landscaping in that particular area. The HOA would maintain the buffer as opposed to the two homeowners.

Discussion

Housing Products

Commissioner Harris felt that the products being provided by McBride look very different from the homes proposed by Claymont, and questioned which lots will be McBride homes and which lots will be Claymont homes.

Ms. Aumiller replied that they have built with Claymont in the past at the Arbor at Wilmas Farm, the Arbors at Wild Horse, and Fienup Farm – all three of these developments have the same products being proposed for Boone's Ridge, and they believe that the two products are very compatible with each other. All of the "A" lots are designated for Claymont homes; and "B" lots for McBride homes.



Modifications

Commissioner Wuennenberg stated that, in general, he does not support the modifications being requested.

Mr. Knight confirmed that Bur Oaks has a 30-foot setback between structures (*vs the 20 feet being requested*); and a 15-foot side yard setback (*vs. 10 feet being requested*). It was also noted that Bur Oaks is permitted an 8-foot side yard setback for a home with a side yard, three-car garage.

Commissioner Tilman requested that the applicant provide information as to how many lots would require setback reductions to accommodate the garages.

Wild Horse Creek Road

Ms. Aumiller stated that they will be dedicating 10 feet to MoDOT along the frontage of Wild Horse Creek Road and working with MoDOT for a left-hand turn lane into the proposed development.

SPEAKERS IN FAVOR:

Mr. Jack Mannebach, Bur Oaks Subdivision, 938 Silver Buck Lane, Chesterfield, MO

Mr. Mannebach stated his support for the project and complimented the two homebuilders involved. He then inquired as to the price point of the proposed homes.

He also stated that he is representing a number of residents along Silver Buck Lane regarding proposed Street A connecting into the Bur Oaks subdivision. There are safety concerns with such a connection because of the number of young children who live in Bur Oaks. He questioned whether there is a fire code requiring the connection, and if not, he asked that consideration be given to not connecting the streets.

RESPONSE

Mr. Justin Wyse, Director of Planning, stated that this site is an identified project in the Comprehensive Plan as creating an internal street network. He added that Staff will follow up with the Fire District on whether the street connection is required.

Ms. Aumiller estimated that the price point will start from the \$700,000s with some homes selling over \$2 million and the average being over \$1 million.

ISSUES

Concerns were raised by the Planning Commission in regards to all three modification requests. Additional information was requested by the Commission to further understand/warrant the deviation from the Development Criteria defined for the WH Overlay District within the City's Unified Development Code.

Concern was raised by a resident on the impact of the roadway connection to Silver Buck Lane with respect to the pedestrian safety of the adjacent development to the west.

A concern was raised by the Planning Commission on the increased traffic along Wild Horse Creek Road by the development.

Staff to follow up with the concerned resident about the connection to Bur Oaks, including any response from the Fire Department.

- B. P.Z. 17-2021 Legends at Schoettler Pointe (Stock and Associates):** A request for a zoning map amendment from the "NU" Non-Urban District and "R1" Residential District to an "E-1/2 AC" Estate One-half Acre District for 9 acres located on the south side of Outer 40 Road and east side of Schoettler Road (19S640152 & 19S640657).

STAFF PRESENTATION:

Planner Shilpi Bharti gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Bharti then provided the following information about the subject site:

Request

The applicant is requesting to rezone two parcels from “NU” and “R1” to “E-1/2 AC” Estate District to establish the density for a 13-home single-family residential development. Since the request is a conventional zoning, a preliminary development plan is not required. However, the applicant is required to submit the Boundary Survey Map, which has been provided.

Site History

The site was zoned “NU” Non-Urban District and “R1” Residential District by St. Louis County prior to the City’s incorporation. In 2016, there was a multi-family proposal for this site, but the application was withdrawn in 2017.

Comprehensive Plan

The subject site falls within the *Suburban Neighborhood* land use designation, which is described as land typically developed for single-family detached homes with uniform housing densities.

Suburban Neighborhood Policies

1. Encourage preservation of existing residential neighborhood’s identity.
2. New residential development should reinforce existing residential development patterns by continuing to reinforce high quality site and subdivision design, layout, and planning practices.
3. Uncover the anticipated expense (cost of municipal infrastructure) for each new or re-developed residential development.

E-1/2 AC District Design Standards

Minimum Lot Size	½ acre
Maximum Height	50 feet
Right-of-Way Setback	20 feet
Side Setback (from property line)	15 feet
Landscape Buffers	Required

- C. **P.Z. 18-2021 Legends at Schoettler Pointe (Stock and Associates)**: A request for a zoning map amendment from an “E-1/2 AC” Estate One-half Acre District to a “PUD” Planned Unit Development for 9 acres located on the south side of Outer 40 Road and east side of Schoettler Road (19S640152 & 19S640657).

STAFF PRESENTATION:

Ms. Bharti provided the following information about the subject site:

Request

The applicant is requesting a PUD designation as the second step of a two-step change of zoning process, which would allow a 13-home single-family residential development with 1/2 acre density.

Planned Unit Development

The purpose of the PUD District is:

- To encourage flexibility to the density requirements and development standards of the zoning ordinance that will result in exceptional design, character, and quality of new homogenous and mixed use developments;
- To promote the most appropriate use of land;
- To facilitate the provision of streets and utilities; and
- To preserve the natural and scenic features and open space.

It was noted that the proposed development meets the four general requirements for a PUD with respect to acreage, ownership, underground utilities, and conditions.

PUD Minimum Design Standards:

1. The proposal must meet the maximum residential density determined by the existing zoning district or by submitting an application for a change of zoning from the "NU" Non-Urban District to a residential zoning district.

P.Z. 17-2021 rezoning of property from "NU" & "R1" to "E-1/2 AC" satisfies this requirement and establishes the maximum development density.

2. Provision of 30% Common Open Space to be displaced throughout the site.

The PUD proposal currently includes a minimum of 30% open space.

3. Provision of perimeter buffer of at least 30 feet in width.

The Preliminary Development Plan includes a 30 foot perimeter buffer.

4. Consistent with the purposes and intent of the Comprehensive Plan and the City of Chesterfield Municipal Code.

Information pertaining to the Comprehensive Plan land use designation is discussed under P.Z. 17-2021.

Requested Lot Criteria

Development Standards	E-1/2 AC District	Request
Lot Size	½ acre = 21,780 sq. ft.	10,000 sq. ft.
Maximum Height	50 feet	45 feet
Front Setback from any right-of-way	20 feet	20 feet
Side Setback from property line	15 feet	5 feet
Density	14 dwelling units	13 dwelling units
Landscape Buffer	30 feet	30 feet

Applicant's Proposal

- 30% Open Space
- 31.6% of existing tree canopy to be preserved
- 1 vehicular access point from Schoettler Road.
- Amenities:
 - Entrance Octagon Gazebo and ornamental planting for a sitting/meeting area for walkers along Schoettler Road.
 - Lookout/pedestrian gathering space with benches, pavers, and ornamental planting near cul-de-sac.

PETITIONER'S PRESENTATION:

1. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO – representing Lombardo Homes
2. Mr. Rusty Saunders, Loomis & Associates, 750 Spirit 40 Park Drive, Chesterfield, MO – available for questions regarding landscaping.

Request

Mr. Stock stated that the subject site is approximately nine acres located on Haybarn Lane. The property currently exists as five lots and the intention is to replat the site into 13 single-family homes as a Planned Unit Development.

They believe the request is consistent with the City's Comprehensive Plan, which designates the property as *Suburban Neighborhood*.

The density for the site is E-1/2 Acre on nine acres, which is the equivalence of 18 homes vs. their proposal of 13 homes (1.4 home per acre).

Modification Request

Through the PUD process, they are asking for modifications to the *Performance Criteria* with respect to lot sizes and setbacks due to the site's steep topography. Mr. Stock noted that the PUD allows them to minimize the land disturbance to the tributary stream, and allows them to preserve the forested slopes along the Outer Road along the northern boundaries of the property.

They are requesting a reduced side yard setback from 15 feet to 5 feet.

Design Features

The proposed development is maintenance-free and age-targeted for those 55 and older. The homes would be single-story ranch homes ranging in size from 1,600-2,500 sq. ft.

Storm Water Requirements

The development will adhere to the City of Chesterfield and the Metropolitan St. Louis Sewer District storm water requirements. The site does not currently have a gravity sanitary sewer system. In lieu of a large MSD pump station, MSD is agreeable to allowing a low-pressure sanitary sewer system, which will help with the architecture and in preserving green space.

Topography / Tributaries

The site's topography is challenging as it drops off substantially from south to north and from east to west. In addition, the property is encumbered by jurisdictional tributaries located on the site.

Planned Unit Development

In order to accommodate the conditions of the property, address storm water drainage, provide public utilities, streets, common ground, and the required 30-foot perimeter buffer, a Planned Unit Development is requested.

The property will require grading and clearing to meet its most appropriate use. The proposed 13 lots have been placed within the southwest quadrant of the site to minimize

the disturbance in grading to the northern portion of the site. This positioning retains much of the existing site topography, soils, vegetation, and slopes along the north.

Tree Preservation

The most recent drawings for the site show an increase in the tree preservation from 31.6% to 32.8%, which was achieved by eliminating the above-ground MSD pump station.

Amenities

Amenities include a gazebo to be placed on Schoettler Road; right-of-way dedication and clearing to improve the existing sight visibility at the reversed S-curve; a landscape berm behind the dedicated right-of-way in order to provide a buffer from Lot 1; sidewalk improvements along Schoettler Road; and an open area with benches at the northern end of the site as a lookout / gathering place. They are also exploring the possibility of using the common ground within the cul-de-sac for a firepit and benches.

Resident Meetings

They have had several meetings with interested residents along Schoettler Road and the Preserve Schoettler group, and have been working with them regarding landscaping and buffering.

Discussion

Responding to questions, Mr. Stock provided the following information.

- Haybarn Lane will be entirely eliminated.
- There will be two storm water management basins – one at the end of Lot 9 and one to the west. They will be landscaped and nestled bio-retention basins; they will not be a wet pond or a cut grassed area.
- The four homes to the north are typical, walk-out lots.
- The properties will all be maintained by one company, including the common ground between houses.

In the event the neighboring property is developed, Commissioner Marino asked Staff to take note of the ingress/egress as it applies to Schoettler Road.

Councilmember Monachella suggested the applicant consider including a pocket park within the site that could support all the residents. Mr. Stock responded that they are looking at ways to utilize the common ground within the cul-de-sac as a gathering spot, but he is not certain it would support the whole neighborhood.

Commissioner Staniforth questioned whether the five-foot setbacks would be large enough to allow equipment within them in the event a resident wanted to erect a fence.

Chair Hansen expressed concern that more amenities are not being offered.

Commissioner Tilman inquired as to the timing of when the S-curve issue would be resolved. Mr. Stock explained that the applicant would not be “moving the pavement”, but would be (1) clearing the overgrown vegetation encroaching on Schoettler Road; (2) grading and improving the drainage; and (3) dedicating the right-of-way and building a landscape berm behind it. It was noted that there will not be any disruption to the 13 lots once improvements are started on Schoettler Road.

SPEAKERS – NEUTRAL:

Ms. Laura Lueking, 15021 Conway Road, Chesterfield, MO.

Ms. Lueking expressed concern about the following:

- The E-1/2 acre zoning is “very misleading” as it does not match the straight E-1/2 acre zoning of the properties immediately to the south and north because those properties do not have a PUD.
- The request is asking for 10,000 sq. ft. lots, which would equate to quarter-acre lots.
- She questions whether the proposal meets the requirements of ‘exceptional design’ for a PUD.

She feels that straight R-1 or E-1/2 Acre zoning is more appropriate for the site.

RESPONSE

Commissioner Marino indicated that he is open to compromising in order to preserve this general area considering the ‘huge controversy’ it caused a number of years ago.

Commissioner Wuennenberg noted his agreement with how the site and landscaping have been designed.

V. APPROVAL OF MEETING SUMMARY

Commissioner Wuennenberg made a motion to approve the Meeting Summary of the November 22, 2021 Planning Commission Meeting. The motion was seconded by Commissioner Tilman and passed by a voice vote of 9 to 0.

VI. PUBLIC COMMENT

A. Chesterfield Ridge Center, Parcel VII (Pfizer)

1. Mr. Dave Hirschbuehler, LJC Architects, 2199 Innerbelt Business Center Drive, St. Louis, MO 63119 – available for questions
2. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO – available for questions

B. P.Z. 14-2020 84 Lumber (17519 Chesterfield Airport Road)

1. Mr. Mike Doster, Land Use Attorney on development team, 16839 Chesterfield Bluffs Circle, Chesterfield, MO

Mr. Doster stated that the petitioner is seeking an ordinance amendment in order to expand his business and upgrade the existing property. The operations at the site include servicing and repair of high-end cars – 550 vehicles were serviced at this location over the past year.

Access is also an issue at this site. Mr. Doster stated that the applicant does not have a legal right to use Arnage Road as it is a private road. In addition, the applicant believes that the other property owners along Arnage Road do not have the right to use the drive that now services the subject facility. They are requesting that the condition in the existing ordinance be modified so that the existing access to the facility can be maintained as a right-in/right-out access, which has been approved by St. Louis County. If at some future point Arnage Road is extended west to Caprice Drive, this right-in/right-out access point would be eliminated. The applicant is willing to grant access to their service drive to the other property owners along Arnage, if the applicant is allowed access to Arnage.

2. Mr. Brandon Harp, Civil Engineering Design Consultants, 10820 Sunset Office, St. Louis, MO – available for questions.
3. Ms. Julie Nolfo, Professional Traffic Operations Engineer, Lochmueller Group, 411 N. 10th Street, St. Louis, MO

Ms. Nolfo stated that at the request of The Staenberg Group, a traffic study was completed that considered the subject property, along with all of the potential development that could occur between Arnage and the subject property – an area of approximately 10 acres.

Since the property owner of Arnage Road is not interested in having Arnage extended to Caprice at this time, the traffic study looked for a natural western terminus for an interim condition as a right-turn only drive. The traffic study determined that approximately 750 cars could be generated during the peak hour within the 10-acre study site. Without retaining the access point, all the traffic will come out from either the signalized intersection at Arnage Boulevard or the un-signalized access adjacent to the Auto Zone site. If the western terminus is not permitted, the un-signalized access drive will become very problematic during the peak hours, which increases the possibility of accidents.

The study concluded that the westernmost connection needs to be retained as a right-in/right-out access until such time as Arnage Road can be extended further west to Caprice.

4. Mr. Sam Adler, Vice-President, Leasing & Development, The Staenberg Group, 2127 Innerbelt Business Center, St. Louis, MO

Mr. Adler stated that he supports the subject petition, as well as the request for the right-in/right-out access point. Based on tenant feedback, he feels that this interim access point will attract first-class retail tenants and quick-serve restaurants for the three outparcels in the subject area.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. **Chesterfield Ridge Center, Parcel VII (Pfizer) ASDCP:** An Amended Site Development Concept Plan for a 31.8-acre tract of land zoned "C-8" Planned Commercial District located on the northwest portion of the intersection of Chesterfield Parkway West and Olive Blvd. (18S521119).

Commissioner Wuennenberg, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Concept Plan for **Chesterfield Ridge Center, Parcel VII (Pfizer)**. The motion was seconded by Commissioner Tilman and **passed** by a voice vote of 9 to 0.

- B. **Chesterfield Ridge Center, Parcel VII (Pfizer) ASDSP**: An Amended Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations, and Architect's Statement of Design for a 31.8-acre tract of land zoned "C-8" Planned Commercial District located on the northwest portion of the intersection of Chesterfield Parkway West and Olive Blvd (18S521119).

Commissioner Wuennenberg, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations and Architect's Statement of Design for **Chesterfield Ridge Center, Parcel VII (Pfizer)**. The motion was seconded by Commissioner Tilman.

Commissioner Wuennenberg reported that there during the earlier Site Plan Committee meeting, there was extensive discussion about the exhaust stacks. It was noted that the stacks are required by code and need to be a particular height beyond the roofline in order to get the chemical exhaust high enough into the atmosphere. It was determined that the architecture of the building, along with the extension off the back of the property, provide adequate screening of the stacks.

The motion to approve **passed** by a voice vote of 9 to 0.

VIII. UNFINISHED BUSINESS

- A. **P.Z. 14-2020 84 Lumber (17519 Chesterfield Airport Road)**: An ordinance amendment to modify development criteria contained in City of Chesterfield Ordinance 2575 which established a "PC" Planned Commercial District on a 7.42-acre tract of land located at 17519 Chesterfield Airport Road (17U510073).

Planner Chris Dietz provided the following information about the subject petition.

Request

The applicant is requesting four modifications to the development criteria in order to expand the current automotive use onsite:

1. Increase the total building area from 40,000 to 60,000 sq. ft.
2. Allow for detention areas to be located within setbacks.
3. Allow vehicular access from Chesterfield Airport Road until Arnage Road extends to Caprice Drive to the west.
4. Permitted Uses

Issues

Below are the four issues raised by the Planning Commission at the August 23, 2021 Public Hearing, followed by the Applicant's response in [blue](#):

Issue #1 - Screening of Damaged Vehicles

Identify on the Preliminary Development Plan how damaged vehicles and other items are to be screened from view offsite.

The applicant has revised the Preliminary Development Plan to show 6' vinyl fencing around the storage area.

Issue #2 - Uses

Uses pre-date the Unified Development Code (UDC) and Comprehensive Plan, and some are incompatible.

The applicant has submitted a list of 22 permitted uses as defined in the UDC, and has requested to replace similar existing uses. The applicant has also noted that the current use is *Vehicle Repair and Service Facility* as defined in the UDC.

Mr. Dietz explained that *automotive* use definitions and zoning applicability have recently changed, per recommendation of Planning Commission and approved by City Council:

- Vehicle Repair and Service Facility (*Permitted in "PC"*): A facility for the general repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, or providing collision services, including body, frame, or fender repair, and overall painting.
- Automobile Storage (*Not permitted in "PC"*): A business engaged in the storage of four-wheeled motor vehicles designed for passenger transport, including passenger cars and light-duty trucks (such as pickup trucks, sport utility vehicles, vans, and minivans) that are not sold on the premises.

Issue #3 - UDC Compliance

Other portions of the current ordinance do not reflect current UDC standards (open space, signage, etc.) Applicant was instructed to confirm whether they are agreeable to amending these sections to reflect current UDC requirements.

The applicant has stated that they are agreeable to these changes.

Issue #4 - Access to Arnage Road

Access points along Arnage Road do not align with those found on the approved Site Development Concept Plan for the development south of the road. Details to be provided on how access points will comply with UDC Access Management Standards and avoid conflict with proposed access south of Arnage Road.

The applicant has revised the Preliminary Development Plan to align the eastern access point with the access south of Arnage Road. The applicant has also provided a letter from the adjacent property owner south of Arnage Road indicating that the western access on the Site Development Concept Plan will be modified at the appropriate time to comply with UDC Access Management Standards.

Preliminary Development Plan

The Preliminary Development Plan shows three buildings totaling 57,800 sq. ft.; two curb cuts on Arnage Road with access from Chesterfield Airport Road; and a fenced-in outdoor storage area.

Commissioner Marino made a motion to approve P.Z. 14-2020 84 Lumber (17519 Chesterfield Airport Road). The motion was seconded by Commissioner Midgley.

Discussion

Responding to questions, additional information was provided and clarified as necessary.

Use of Site – Repair vs Storage

Mr. Doster stated that the basic use on the subject property (17519 Chesterfield Airport Road) is *Vehicle Repair and Service Facility* for high-end vehicles. They are not in the business of storing vehicles on site, but the temporary storage of vehicles is ancillary to the primary use. It was pointed out that vehicles are stored temporarily on the site while awaiting parts for service/repair. It was clarified that the subject location is devoted to the repair of high-end motor vehicles, which are all aluminum. All other vehicles are made of steel and are repaired at the Caprice location.

Chair Hansen stated that the property always appears to have damaged vehicles stored on site, and suggested that the damaged vehicles be parked inside an enclosed building so they are not visible to the public.

Mr. Doster explained that they are not in the business of storage and clarified the definition of *Automobile Storage* as noted below:

A business engaged in the storage of four-wheeled motor vehicles designed for passenger transport, including passenger cars and light-duty trucks (such as pickup trucks, sport utility vehicles, vans, and minivans) that are not sold on the premises.

He added that they are in the business of repairing and servicing automobiles, but damaged vehicles are parked on site while awaiting repair. He also noted that this business has been operating in the same location since 2009.

Commissioner Marino pointed out that Chesterfield has a number of high-end automobile dealerships, and the subject business supports those dealerships. He feels that the City should support this business as it has been successfully operating since 2009.

Buildings on Site

Mr. Harp stated that the existing structures include a four-walled enclosed building currently being used for repairs; and three roofed, open-sided structures used for vehicle storage.

He added that the increased square footage request from 40,000 to 60,000 sq. ft. would involve enclosing some of the structures so some vehicles could be parked indoors while awaiting repair.

Uses

Commissioner Wuennenberg suggested that the following uses be removed from the list of Permitted Uses:

- Commercial Service Facility
- Parking Area (Stand-Alone), Including Garages, for Automobiles. Not including sales or storage of damaged vehicles for more than 72 hours.
- Tackle and Bait Shop

Mr. Doster stated that the applicant has authorized him to eliminate the following uses:

- Art Gallery
- Art Studio
- Film Drop Off and Pick Up Stations
- Film Processing Plant
- Office-Dental
- Tackle and Bait Shop

Commissioner Marino expressed reservations about eliminating the *Commercial Service Facility* use.

Commissioner Wuennenberg made a motion to amend the original motion to have the following uses removed:

- Art Gallery
- Art Studio
- Commercial Service Facility
- Film Drop Off and Pick Up Stations
- Film Processing Plant
- Office-Dental
- Parking Area (Stand-Alone), Including Garages, for Automobiles. Not including sales or storage of damaged vehicles for more than 72 hours.
- Tackle and Bait Shop

The motion was seconded by Commissioner Midgley.

Commissioner Tilman stated that he agrees with eliminating all of the above uses with the exception of *Commercial Service Facility* and *Parking Area*.

Upon roll call, the vote was as follows:

**Aye: Commissioner Carlie, Commissioner Harris,
Commissioner Midgley, Commissioner Roach,
Commissioner Staniforth, Commissioner Wuennenberg,
Chair Hansen**

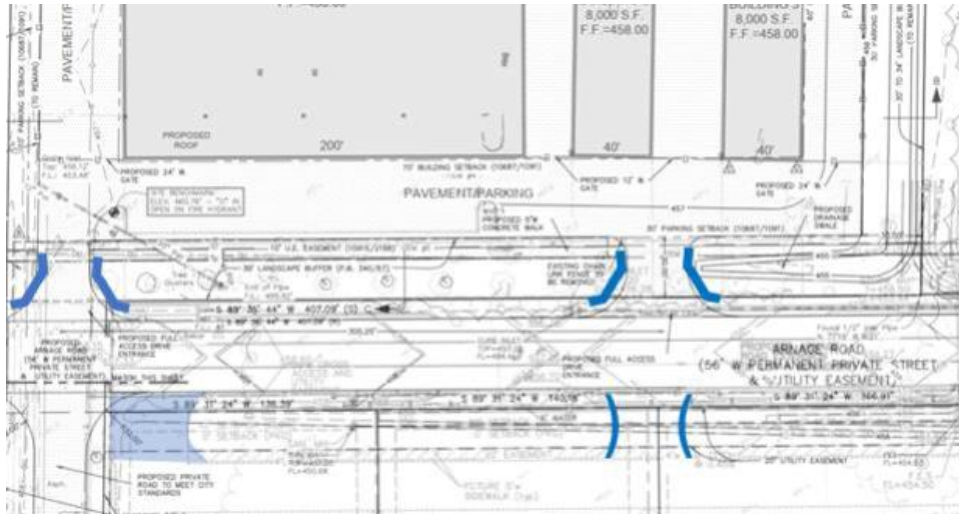
Nay: Commissioner Marino, Commissioner Tilman

The motion passed by a vote of 7-2.

Access Points

Commissioner Tilman then asked for clarification on which access points would be approved with this petition until Arnage Road is extended to Caprice.

Mr. Doster directed the Commission's attention to the image provided in the Staff Report, and shown below, highlighting the proposed access points with the right-in/right-out access shaded in blue.



Detention Pond

Commissioner Carlie inquired as to whether there is any less functionality of the detention pond if located closer to the building within the setback. Mr. Harper explained that the requirement within the existing ordinance regarding the detention pond is not included in current City ordinances. In order to meet the increased requirements of storm water management, they have been allowed to place detention systems within setbacks throughout Chesterfield Valley due to its flat topography.

Chair Hansen stated that she is not inclined to vote in favor of this petition unless she knew the damaged vehicles would be stored indoors. Mr. Harp replied that the increased square footage for an enclosed structure would not accommodate all damaged vehicles, but that the site is intended to be enclosed with a sight-proof fence. They understand that the fencing may need to be complemented by landscaping and berming at the Site Plan stage.

Upon roll call, the motion to approve, as amended, was as follows:

**Aye: Commissioner Marino, Commissioner Midgley,
Commissioner Roach, Commissioner Staniforth,
Commissioner Tilman, Commissioner Wuennenberg,
Commissioner Carlie, Commissioner Harris**

Nay: Chair Hansen

The motion passed by a vote of 8-1.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 9:28 p.m.



Jane Staniforth, Secretary