

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
December 9, 1996**



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

PRESENT

Mr. Rick Bly- Acting Chairman
Mr. Fred Broemmer
Mr. Dave Dalton - arrived later
Mr. Robert Grant
Ms. Carol Kenney
Mr. Dan Layton, Jr.
Ms. Linda McCarthy
Mr. Allen Yaffe
Mr. Douglas R. Beach, City Attorney
Mayor Jack Leonard
Councilmember Linda Tilley (Ward IV), Council Liaison
Mr. Jerry Kelley, Director of Planning
Mr. Paul Mann, Planner II
Ms. Patricia Detch, Planner I
Ms. Sandra Lohman, Executive Secretary
Ms. Linda DaLay, Administrative Secretary

ABSENT

Chairman Michael Casey

INVOCATION - City Attorney Douglas R. Beach

Acting Chairman Bly recognized Mayor Jack Leonard and Councilmember Linda Tilley (Ward IV) - Council Liaison.

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARINGS:

The first portion of the "Opening Comments" was read by Commissioner Layton.

- A. **P.Z. 34-96 Old Smoke House Investment Group, L.L.P. (The Valley Forum)**; a request for a change in zoning from "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "C-3" Shopping District and "FPC-3" Flood Plain Shopping District for a 26.8 acre tract of land located on the east side of Chesterfield Airport Road, north of Bonhomme Creek. (Locator Numbers: 17T33-0036, 17T22-0191 and 17T31-0313)

Planner II Paul Mann gave a slide presentation of the proposed site and surrounding area.

Commissioner Dalton arrived during Mr. Doster's presentation.

Mr. Michael Doster, Attorney, spoke on behalf of the petitioner noting the following:

- identified the members of the L.L.P. Partnership;
- described the proposed site and surrounding area;
- no TIF application has been filed yet;
- the front portion of the site (approximately 17.5 acres) is owned by the Partnership;
- approximate nine (9) acres, contiguous to the east, is under contract;
- the net, developable acreage is approximately 17 acres;
- grading will be utilized, as necessary, to accommodate the project;
- the project name will be "Chesterfield Grove;"
- the concept plan shows between 100,000 square feet and 200,000 square feet, upon completion;
- uses will be those permitted in the "C-3" District;
- the focus, at this point, is on suburban offices, small retail and restaurants;
- the first user on the site, if approved, would be an office building for the headquarters of Brinkman Construction Company;
- architectural materials, landscaping, and density will be compatible with surrounding uses, particularly Annie Gunn's, The Smoke House Restaurant, and Wiegand Studios;
- two (2) lakes with fountain features are proposed to serve both aesthetic and functional purposes (i.e., detention onsite, before the stormwater is sent offsite, under the road).
- landscaping and water features will make-up approximately 40% to 50% of the total area of the site (comparable to the Maryville Campus Center);
- stormwater on this site will be collected onsite and, eventually, piped under the road, behind The Smoke House, Annie Gunn's and to the facility subject to the pump currently under construction;

- parking will exceed minimum requirements, because it's determined, primarily, by the market demands;
- Baxter Road will be connected with Chesterfield Airport Road;
- several access points are proposed; however, they will conform to all traffic requirements;
- MoDOT comments will be addressed when received;
- "C-3" District allows maximum flexibility desired for this site (i.e., changes in uses, sizes of buildings, locations of uses);
- the proposed site may not be built-out completely, at the earliest, for a period of five (5) years;
- Fire District comments will be addressed at the appropriate time to accommodate their needs; and
- this petition can be a show piece at the east end of the Valley.

COMMISSION COMMENTS/QUESTIONS

- The Zoning Ordinance states that no more than twenty-five percent (25%) of the property may be covered by structures (i.e., buildings).
- The interchange at the east end of the Valley is a recommendation of a study; however, at this time, neither the City of Chesterfield nor the Missouri Department of Transportation has plans, programs, or funds for this.
- The "C-3" is desired because of the flexibility necessary to accommodate the market. Conditions acceptable today may be different from those which would be necessary in the future (i.e., changing the size and types of buildings, types of uses, locations of uses, and resulting movement of infrastructure).
- The precedent of the "C-3" Zoning and the possibility of going with a "C-8" Zoning was discussed.
- The petitioner is still discussing the "C-8" versus "C-3" Zoning with the Planning Department; but have not been able to come to a conclusion.
- A "C-8" Zoning would require coming back before the City each time a use would change.

- There is not a consensus on whether or not four (4) interchanges are needed, and, if there is one at the east end, it is not decided where it would be located, or how it would be designed or configured.
- The existence of the proposed site would not preclude someone coming in to condemn the site, at a future date, for an interchange.
- A hotel use would require a Conditional Use Permit from the City under the "C-3" Zoning District.

SPEAKERS IN FAVOR:

1. Mr. Thom Sehnert, 16806 Chesterfield Airport Road, Chesterfield, MO 63005, spoke as an individual, noting the people behind the proposed project were instrumental in development of Annie Gunn's. He noted this project could represent the epitome of good development.
2. Mr. Doug Wiegand, 16705 Chesterfield Airport Road, Chesterfield, MO 63005, spoke as an individual, noting he likes the quality of the proposed development.
3. Rudy Stinnett, 14308 Conway Meadows Court, Chesterfield, MO 63017, spoke as an individual, noting he believes the proposed project would be a quality project, provide a good front door to the Valley, bring more developers to the Valley, and generate more income to the Rockwood School District.

SPEAKERS IN OPPOSITION: - None

SPEAKERS NEUTRAL: - None

REBUTTAL: - Waived

Commissioner Layton read the final portion of the "Opening Comments."

APPROVAL OF THE MINUTES:

A motion to approve the minutes, as amended, was made by Commissioner Grant, seconded by Commissioner Yaffe and passes by a voice vote of 8 to 0.

PUBLIC COMMENTS:

1. Ms. Julie Kimble, Opus Northwest, P.O. Box 150, Minneapolis, MN 55440, noted approximately five (5) speakers from her group have waived their time so she will have time for a presentation. She spoke in favor of P.Z. 22-90, assisted by a slide presentation, noting the following:

- background of Opus, noting their capabilities, including experience and quality projects;
 - samples of completed office projects were depicted on the slides;
 - Phase I proposes one (1) 205,000 square foot office building;
 - Phase II would be for an additional office building of 125,000 square feet, to the east, necessitating some structured parking; therefore, a three (3) story ramp proposed;
 - there will be no access to Conway Road;
 - there would be a 120' buffer along Conway which would be deeded to the City of Chesterfield;
 - they will comply with the new MSD standards for stormwater detention, assuming they are enacted early in 1997;
 - Tax Increment Financing is not requested for this project; and
 - they will bring a high quality project into the City, which will increase the tax base and provide significant jobs to the community.
2. Mr. Grant Peterson, Architect, 700 Opus Center, 9900 Bren Road. E., Minneapolis, MN 55440, spoke in favor of P.Z. 22-90, noted the following:
- the Phase I development would be at the northwest corner of the site;
 - the north buffer zone would remain as is;
 - drainage would be from the northwest to the southeast;
 - a retention pond is proposed at the southeast corner of the project;
 - Phase II development would consist of one (1) additional 125,000 square foot, five (5) story building, with a three (3) story parking structure, pushing into the grade, maintaining existing tree masses in this area;
3. Mr. Tom Zorumski, CEO of United HealthCare, 155 Firwood, St. Louis, MO, recognized Rich Grisham, CEO and Vice President of the Company; Mary Nowatny, Director of Corporate Communications; and Phil Mainquist, Vice President of Finance. He noted they are not requesting a TIF.

COMMENTS/DISCUSSION BY COMMISSION:

Councilmember Tilley noted the City is delighted Opus has returned so soon after denial of the previous request and inquired about the possibility of moving the buildings inward on the site.

Mr. Peterson noted the following:

- placing the Phase I building at the northwest corner allows better flexibility for the Phase II building.
- Phase I proposes 1,040 surface parking spaces. Phase II would propose a three (3) story parking ramp to accommodate approximately 400 parking spaces.
- The three (3) story ramp is open to the air, is banded with pre-cast at the crash rail of the building and ceiling area of the parking structure. The top level would be for parking and is open to the sky.
- A parking structure is not feasible for the project at this time, economically speaking; however, the developer would work with staff to look at ways, through landscaping, to minimize the impact of the expansive parking area.
- The building in the current proposal is three (3) feet higher than the building depicted in the most recent Sverdrup proposal (i.e., 618' versus 615').
- Moving the building down somewhat on the property could pose problems with grading in the detention area, and limit flexibility due to the overhead power lines.

4. Mr. Rich Grisham, Chief Operating Officer of United, 37 Rockwood Forest, Wildwood, MO 63025, spoke in favor of P.Z. 22-90, noted the following:

- the petitioner traded two (2) parking garages, which are expensive to build, for surface parking, and this allows them to buy the 22 acres; and
- the proposed project would bring approximately 700 to 750 white collar, health care jobs to Chesterfield.

Ms. Julie Kimble noted the petitioner doesn't fully understand the City's stand regarding the impact of lighting on the Outer Road at this time; however, if there are issues relating to safety, they are willing to work with Staff, Commission and Council, if necessary, about inclusion of this item.

5. Mr Gary Feder, Attorney with Ziercher & Hocker, 231 S. Bemiston, Clayton, MO 63105, spoke in favor of P.Z. 30-96 McDonald's, noting the following:

- representatives of the Staff and City Attorney Mike Herring met with the petitioner last Friday to discuss the Staff report;

- as a result of that meeting McDonald's will look at modifications of the site plan which they believe address concerns of the Planning Staff;
 - McDonald's sent a letter today asking this matter be continued;
 - at the Friday meeting, Mr. Herring and Mr. Kelley noted there might be some opportunity to ask the Planning Commission if it would meet next Monday night to review their Site Plan; and
 - Mr. Herring and Mr. Kelley suggested he appear tonight to personally request, on behalf of the applicant, for your consideration of an additional meeting on Monday, December 16th.
6. Mr. Kevin Kinealy, 14842 Rutland Circle, Chesterfield, MO 63017, spoke as a neutral party, regarding P.Z. 22-90, noting the following concerns:
- lack of adequate buffering along Conway Road;
 - heights and locations of proposed buildings;
 - approved site conditions should comply and remain in force; and
 - density.

NEW BUSINESS:

- A. **P.Z. 26-96 The Nooning Tree Ltd. Partnership**; "NU" Non-Urban District to "R-3" 10,000 square foot Residence District; east side of Olive Boulevard, approximately 1,500 feet south of the intersection of Olive Boulevard and White Road and on the west side of White Road approximately 1,000 feet south of the intersection of Olive Boulevard and White Road.

AND

- B. **P.Z. 27-96 The Nooning Tree Ltd. Partnership**; a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District; east side of Olive Boulevard, approximately 1,500 feet south of the intersection of Olive Boulevard and White Road and on the west side of White Road approximately 1,000 feet south of the intersection of Olive Boulevard and White Road.

Director Jerry Kelley noted the traffic study has not been received and, therefore, the Department recommends P.Z. 26 & P.Z. 27-96 be held.

A motion to hold was made by Commissioner Grant, seconded by Commissioner Kenney and passes by a voice vote of 8 to 0.

- C. P.Z. 30-96 McDonald's Corporation; "NU" Non-Urban District to "C-8" Planned Commercial District and an amendment to St. Louis County Ordinance 5531 establishing a "C-8" Planned Commercial District; southeast corner of the intersection of Long Road and Chesterfield Airport Road. This request will result in a new "C-8" Planned Commercial District encompassing 2.94 acres.

Director Kelley noted the following:

- as Mr. Feder indicated earlier, Staff met with representatives from McDonald's and Amoco on Friday afternoon (12/6/96), and looked at some significant internal modifications to the site, as well as some building reduction;
- given the nature of those changes, it was impossible for the corrections to take place and for Staff to review and make recommendations prior to tonight's meeting; and
- Staff would like both P.Z. 30-96 and P.Z. 22-90 to be continued to fit the Commission's schedule, sometime early next week - Monday, December 16, 1996, if possible. He noted it would take approximately 30 to 45 minutes to finish up some of the particulars around both the McDonald's case and the Sverdrup/Opus - United HealthCare.

A motion to hold Item C and Item F was made by Commissioner Grant, seconded by Commissioner Kenney.

COMMENTS/DISCUSSION BY COMMISSION:

- Director Kelley noted Staff will have time to review plans, prepare the ordinance and conditions for the Commission's consideration on Monday, December 16, 1996.
- City Attorney noted we can just post a meeting notice for these two (2) items.

The motion to hold P.Z. 30-96 and P.Z. 22-96 passes by a voice vote of 7 to 0 to 1, with Commissioner Dalton abstaining.

Acting Chairman Bly polled the Commission for the meeting on Monday, December 16, 1996, at 8:00 p.m.

Those who stated they could attend were: Commissioners Broemmer, Grant, Kenney, Layton, McCarthy, Yaffe and Bly.

Acting Chairman Bly noted the meeting would be held at 8:00 p.m., Monday, December 16, 1996.

- D. **P.Z. 31-96 Sebastian Rucci (Eagle Crest Estates)**; “NU” Non-Urban District and “FPNU” Flood Plain Non-Urban District to “R-1” One Acre Residence District and “FPR-1” Flood Plain One Acre Residence District; south side of Wild Horse Creek Road, approximately 2,500 feet west of the intersection of Wilson Road and Wild Horse Creek Road.

AND

- E. **P.Z. 32-96 Sebastian Rucci (Eagle Crest Estates)**; Planned Environment Unit (PEU) Procedure in the “R-1” One Acre Residence District and “FPR-1” Flood Plain One Acre Residence District; south side of Wild Horse Creek Road, approximately 2,500 feet west of the intersection of Wilson Road and Wild Horse Creek Road.

Planner II Paul Mann noted the issues being evaluated by the Department and the recommendation of the Department that this matter be held until the meeting of January 13, 1997.

No issues were added.

A motion to hold P.Z. 31-96 and P.Z. 32-96 was made by Commissioner Yaffe, seconded by Commissioner Layton and **passes** by a voice vote of 8 to 0.

- F. **P.Z. 22-90 Sverdrup Investments, Inc.**; request for amendment of “C-8” Planned Commercial District Ordinance, City of Chesterfield Ordinance Number 563; south side of Conway Road, west of White Road.

This matter was held earlier in the meeting by a vote of 7 to 0, with 1 abstention. This matter will be discussed at the meeting on Monday, December 16, 1996.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. **Country Lake Estates Subdivision**; Planned Environment Unit (PEU) Procedure in the “R-1” One Acre Residence District and “FPR-1” Flood Plain “R-1” One Acre Residence District Record Plat; western terminus of Countryside Manor Parkway.

Commissioner Broemmer, on behalf of the Site Plan Committee, made a motion for approval of the Record Plat for Country Lake Estates. The motion was seconded by Commissioner Grant and **passes** by a voice vote of 8 to 0.

- B. **Chesterfield Fire Protection District**; “R-2” 15,000 square foot Residence District Free-standing Monument Sign; north side of Olive Boulevard, west of River Valley Drive.

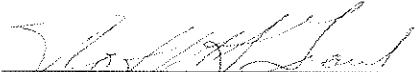
Commissioner Broemmer, on behalf of the Site Plan Committee, made a motion for approval of the requested sign. The motion was seconded by Commissioner Grant and **passes** by a voice vote of 8 to 0.

IX. COMMITTEE REPORTS:

- A. **Ordinance Review Committee** - No report
- B. **Architectural Review Committee** - No report.
- C. **Site Plan/Landscape Committee** - No report.
- D. **Comprehensive Plan Committee** - No report.
- E. **Procedures and Planning Committee** - No report.

A motion to adjourn was made by Commissioner McCarthy seconded by Commissioner Layton **and passes by a voice vote of 8 to 0.**

The meeting adjourned at 8:21 p.m.



Robert Grant, Secretary

[MIN12-9.096]