

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
NOVEMBER 14, 2016**

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

I. ROLL CALL

PRESENT

ABSENT

Ms. Wendy Geckeler
Ms. Merrell Hansen
Ms. Allison Harris
Ms. Laura Lueking
Mr. John Marino
Ms. Debbie Midgley
Mr. Nathan Roach
Mr. Steven Wuennenberg
Chair Stanley Proctor

Mayor Bob Nation
Councilmember Dan Hurt, Council Liaison
Mr. Christopher Graville, Interim City Attorney
Ms. Jessica Henry, Senior Planner
Mr. Justin Wyse, Senior Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Proctor acknowledged the attendance of Mayor Bob Nation; Councilmember Dan Hurt, Council Liaison; Councilmember Bridget Nations, Ward II; Councilmember Guy Tilman, Ward II; and Councilmember Bruce DeGroot, Ward IV.

Chair Proctor then congratulated Councilmember DeGroot on his election to the State of Missouri House of Representatives.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS – Commissioner Wuennenberg read the “Opening Comments” for the Public Hearings.

- A. P.Z. 08-2016 Breckenridge Materials (17971 N. Outer 40 Rd.):** A request for a zoning map amendment from an “FPM3” Floodplain Planned Industrial District to a “PI” Planned Industrial District for a 2.688 acre area of land on a portion of the property at 17971 N. Outer 40 Road, located on the north side of North Outer 40 Road, east of the Missouri River. (a 2.688 acre portion of 16W240041).

STAFF PRESENTATION:

Senior Planner Justin Wyse gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Wyse also provided the following information about the subject site:

Zoning

The subject site was zoned "FPM3" in 1965 by St. Louis County. In 1967, a Conditional Use Permit (CUP) was issued which allows the existing sand plant operation to extract sand from the river. The CUP also allows onsite storage of the extracted sand and allows the necessary equipment for the sand material processing.

Zoning surrounding the subject site is predominantly "FPM3". The northern area directly adjacent to the Missouri River is zoned "FPNU".

Request

The applicant is proposing a concrete batching plant on the site, which is not permitted under the existing Conditional Use Permit. Consequently, a change in zoning to the "PI" Planned Industrial District is being requested.

Comprehensive Land Use Plan

The Comprehensive Land Use Plan designates the area as *Agricultural, Floodplain, and Conservation*. Agricultural and open space land uses are appropriate land uses within this designation.

Preliminary Plan

As required by the Unified Development Code, a preliminary plan has been submitted for the request. The plan shows existing conditions on the site with improvements to comply with City Code. Temporary approval was granted in 2013 for the existing concrete batching plant operating on the site to serve MoDOT's Daniel Boone Bridge project. Following completion of the project, the temporary approval expired and the applicant is now requesting the change in zoning to continue operations at this site.

The preliminary plan shows minor site improvements and grading that would be necessary in order to comply with the City's flood hazard regulations. The applicant has been working with both FEMA and the City on ensuring compliance with these regulations. Approval has not yet been granted by the City or FEMA for these changes, but more information will be provided prior to the petition being set for a formal vote and recommendation by the Planning Commission on the proposed change in zoning.

Items under Review

1. Awaiting agency comments
2. Compliance with "Article 05: Flood Damage Prevention" of the Unified Development Code
3. Consistency of the proposal with the Comprehensive Plan
4. Appropriate restrictions on the proposed use of a concrete batching plant. The UDC's definition of a batching plant allows for the *manufacture or mixing of concrete, asphalt, cement, and/or cement products, including any apparatus and uses incident to such manufacturing and mixing*. Staff recommends that the asphalt component be prohibited for this operation.

5. Compliance with the Unified Development Code on improvements to surfaces for vehicular travel. (i.e. paved improved access to N. Outer 40 Road and the parking areas)

Discussion

In response to questions from Commissioner Lueking, Mr. Wyse confirmed the following:

- Asphalt manufacturing is not currently allowed on the site.
- The roadway over the levee is currently a gravel road.
- The sand batching plant has been operating since 1967.

PETITIONER'S PRESENTATION:

Mr. Andy Arnold, President and COO for Breckenridge Material Company, 13501 Chatham Manor Drive, St. Louis, MO.

Mr. Arnold provided the following information:

- Breckenridge Material Company has been in business for over 90 years and has been producing concrete in Chesterfield since 1963 and at the subject location since 2013.
- Concrete is the second most used material in the world and is recyclable – over 70 million tons of concrete are recycled each year.
- Plants typically operate at a 70-90 decibel level, with an average of 80-85 decibels. Because of the moderate operating decibel levels, no hearing protection is required by OSHA. They have not received any complaints regarding noise at the subject site.
- With respect to air quality, they are regulated by the Federal EPA and enforced by the Missouri Department of Natural Resources for particulate matter (dust), nitrogen oxides, and carbon monoxide. Permits restrict daily production of concrete quantities to prevent contaminants from exceeding the property boundary in hazardous levels.
- Regarding water protection, they operate under Missouri DNR General Permit MOG-49 and implement “Best Practices” to eliminate contaminants in rain/ground water. There is regular ongoing testing of storm water discharge for pH levels, solids, oil and grease, which is reported quarterly to DNR.

Discussion

Commissioner Geckeler noted that the subject site is located on a flood plain and questioned whether this poses any concern. Mr. Arnold replied that they have sent their information to FEMA to demonstrate that the subject facility would have no impact on the rise and flow of waters in the floodway. They are waiting for FEMA's feedback which will be passed on to Staff. In addition, they will be removing the existing fuel tank from the floodway and will be utilizing an outside vendor to fuel the trucks each evening, who will then leave the site. All the chemicals used in the production of concrete will be raised above the flood plain; it was noted that none of these chemicals are considered caustic. Mr. Arnold also stated that they are not proposing an asphalt plant for the site.

Commissioner Marino asked for information about the hours of operation, the number of trucks on site, and the number of trips per day. Mr. Arnold stated that they are requesting the hours of operation not be restricted since a lot of projects are required to

run during the night hours. They generally operate eight hours per day but there may be rare instances when they would have additional hours.

They currently have seven truck drivers at the subject location and keep eight trucks on site in the event of a breakdown. The number may increase for a large project but would probably not exceed fifteen trucks. Typically, a driver will make 3 to 3-1/2 trips per day.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

In addition to the issues identified by Staff, the following was added:

- Clarify that asphalt production will be prohibited on the site.

- B. P.Z. 12-2016 Chesterfield Commerce Center (150 N. Eatherton Rd.):** A request for a zoning map amendment from an “NU” Non-Urban District to a “PI” Planned Industrial District for a 10.786 acre tract of land located on the east side of Eatherton Road, south of The Landings at Spirit Drive. (18W140020).

STAFF PRESENTATION:

Senior Planner Justin Wyse gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Wyse also provided the following information about the subject site:

Site Location

The Crossings Church is located immediately to the east of the subject site and the large field on the west side of Eatherton Road is within the City of Wildwood.

Comprehensive Land Use Plan

The Comprehensive Land Use Plan designates the subject site as, *Low-Intensity Industrial* which would include manufacturing, assembly, and warehousing as appropriate land uses.

Preliminary Plan

The preliminary plan and narrative show one office/warehouse building with a maximum of 140,000 square feet. The proposal includes one access off N. Eatherton Road. Access to the site from The Landings at Spirit Drive was investigated; however, the County is not able to provide permanent access to this roadway due to grant funding restrictions that were tied to the construction of the roadway and ensuring continued FAA compliance.

Items under Review

1. Awaiting agency comments
2. Uses

Discussion

Commissioner Geckeler questioned whether The Crossings Church has provided any feedback on the proposal. Mr. Wyse replied that he has not had any direct contact with the church, but added that the applicant will address this in his presentation.

Commissioner Wuennenberg stated that since there are homes to the south of the site, he suggested that uses which create noise or odors be considered for removal. The Commissioners indicated their consensus with this recommendation.

PETITIONER'S PRESENTATION:

Mr. George Stock, Stock & Associates Consulting Engineer, 257 Chesterfield Business Parkway, Chesterfield, MO.

Project Description

The proposed building is an approximate 140,000 square foot state of the art Office/Warehouse Distribution Center. The building is designed to accommodate tenants from 15 to 140,000 square feet. The tenants are anticipated to be a mix of local home supply stores (tile, carpet, electrical) with a showroom component. The building design and landscaping are intended to complement surrounding structures with similar color tones and landscaping patterns.

Project Data

The site is located at 150 N. Eatherton Road, consists of 10.786 acres, and access is being requested from Eatherton Road.

The structure setback will be 35' from all properties and there will be no parking within 25' of all properties.

Open space request is a 35% minimum and a Floor Area Ratio of 0.55 is proposed.

Tree Stand Delineation

Because the site is an agricultural field, there is only a stand of trees along the residential property line in the northwest corner of the site.

Preliminary Plan

The preliminary plan depicts a 140,000 square foot building. Because of the proposed building's proximity to The Crossing Church and the residences to the south, the building will be positioned so that the front of the building will be facing south.

Access is shown from Eatherton Road and while there is the airport access road to the north, the Airport cannot guarantee permanent access from this road. Cross access will be provided to the properties to the north and south. Parking will be provided along the south side of the site.

Mr. Stock stated that they will continue dialogues with the abutting neighbors relative to architecture, landscaping, and storm water drainage.

Discussion

Councilmember Hurt asked for more information on the access issue to the north. Mr. Stock replied that they would not be able to move forward with the project and financing when there is the possibility that access on the north could be revoked by the

Airport. The Airport has a license to use the access but it is not a permanent easement and they do not have the ability to grant permanent access.

The following uses were outlined as ones that could possibly produce noise or odors:

- Brewery
- Dry cleaning plant
- Incinerator
- Kennel – boarding and private
- Laboratory (*Stacks from laboratories throw gas into the atmosphere, which could drift to the residences to the south.*)
- Meat-packing facility
- Heliport

Mr. Wyse stated that Staff has a clear direction on what the Commission is seeking and will work with the applicant on uses before they are brought back to the Commission for review.

In response to Commissioner Lueking, Mr. Stock stated that the elevations show the building to be approximately 35 feet tall.

SPEAKERS IN FAVOR:

Mr. Jim Meiners, Jr., Prestige Nursery, 108 N. Eatherton Road, Chesterfield, MO.

Mr. Meiners stated that Prestige Nursery is immediately to the south of the subject site and they welcome development at that end of the Valley. He likes the façade of the proposed building and all the green space, especially in the front along Eatherton Road. They are in favor of the project and look forward to having a new neighbor in the area.

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

No new issues were added to those already presented by Staff.

Commissioner Wuennenberg read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING SUMMARY

Commissioner Hansen made a motion to approve the Meeting Summary of the October 26, 2016 Planning Commission Meeting. The motion was seconded by Commissioner Midgley and **passed** by a voice vote of 9 to 0.

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. **Arbors at Wilmas Farm (Record Plat 1)**: A Record Plat for a 39.88 acre tract of land zoned "PUD" Planned Unit Development District located on the south side of Wild Horse Creek Road west of its intersection of Long Road and east of its intersection with Arbor Grove Court.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Record Plat for **Arbors at Wilmas Farm (Record Plat 1)**. The motion was seconded by **Commissioner Wuennenberg** and **passed** by a voice vote of 9 to 0.

- B. **Arbors at Wilmas Farm (Record Plat 2)**: A Record Plat for a 10.64 acre tract of land zoned "PUD" Planned Unit Development District located on the south side of Wild Horse Creek Road west of its intersection of Long Road and east of its intersection with Arbor Grove Court.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Record Plat for **Arbors at Wilmas Farm (Record Plat 2)**. The motion was seconded by **Commissioner Midgley** and **passed** by a voice vote of 9 to 0.

- C. **Hampton Inn Chesterfield Lodging (AAE)**: Amended Architectural Elevations and Architect's Statement of Design for a 1.92 acre tract of land zoned "C-8" Planned Commercial District located on the north side of Swingley Ridge Rd., west of Nardin Dr.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Amended Architectural Elevations, as presented, for **Hampton Inn Chesterfield Lodging**. The motion was seconded by **Commissioner Midgley** and **passed** by a voice vote of 9 to 0.

- D. **Harmony Seven (Record Plat)**: A Record Plat for a 2.75 acre tract of land zoned "R2" Residential District located on the south side of Olive Boulevard and west of its intersection with Stablestone Drive.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Record Plat for **Harmony Seven**. The motion was seconded by **Commissioner Geckeler** and **passed** by a voice vote of 9 to 0.

- E. **Monarch Center, Sign Package**: A request for a Sign Package to establish sign criteria for the Monarch Center development located north of Edison Avenue and east of Long Road.

Commissioner Hansen, representing the Site Plan Committee, made a motion to postpone the vote on the monument signs until a later date. The motion was seconded by **Commissioner Wuennenberg** and **passed** by a voice vote of 9 to 0.

Commissioner Hansen, representing the Site Plan Committee, made a motion to approve the LED gas grades with three LED changeable copy areas, each 1.6 square feet in area, prohibiting rolling, scrolling, flashing, animated or otherwise intermittently-lit characters. The motion was seconded by Commissioner Lueking and **passed** by a voice vote of 9 to 0.

Commissioner Hansen, representing the Site Plan Committee, made a motion to approve three free-standing drive-thru menu boards, as presented, with two menu boards at 26.7 square feet each, and one menu board at 12 square feet. The motion was seconded by Commissioner Wuennenberg and **passed** by a voice vote of 9 to 0.

Commissioner Hansen, representing the Site Plan Committee, made a motion to approve four double-faced directional signs, as presented, with three signs at 3'6" in height and 6 square feet in area; and one sign at 5'6" in height and 12 square feet in area. The motion was seconded by Commissioner Midgley and **passed** by a voice vote of 8 to 1 with Commissioner Lueking voting "no".

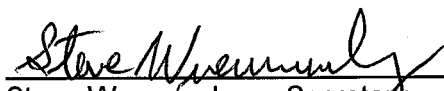
VIII. UNFINISHED BUSINESS - None

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:02 p.m.



Steve Wuennenberg, Secretary