PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
NOVEMBER 14, 2011

The meeting was called to order at 6:30 p.m.

I. ROLL CALL

PRESENT	**ABSENT**
Mr. Bruce DeGroot	Ms. Laura Lueking
Ms. Wendy Geckeler	Mr. Steve Wuennenberg
Ms. Debbie Midgley	
Mr. Stanley Proctor	
Mr. Robert Puyear	
Mr. Michael Watson	
Chair Amy Nolan	

Mayor Bruce Geiger
Councilmember Connie Fults, Council Liaison
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Mara Perry, Senior Planner
Mr. Justin Wyse, Senior Planner
Ms. Susan Mueller, Principal Engineer
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

Chair Nolan acknowledged the attendance of Mayor Bruce Geiger and Councilmember Connie Fults, Council Liaison.

IV. PUBLIC HEARINGS – Commissioner Proctor read the "Opening Comments" for the Public Hearings..

A. **P.Z. 10-2011 & P.Z. 11-2011 Friendship Village of West County (15201 Olive Boulevard):** A request for a change of zoning from "NU" Non-Urban District with a Conditional Use Permit (CUP) to a "R4" Residence District with a Conditional Use Permit (CUP) for a 34.5 acre tract of land at the northwest corner of Olive Boulevard and Arrowhead Estates Lane. (17S320445)

STAFF PRESENTATION:

Senior Planner Mara Perry gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Perry stated the following:

- All Public Hearing notification requirements were met per State statute and City of Chesterfield requirements.
- The site was zoned "NU" Non-Urban District by St. Louis County prior to the incorporation of the City.
- Conditional Use Permit #264 was approved by St. Louis County in 1973 for a "full life retirement center". Subsequent to that, the development was built.
- Conditional Use Permit #264 was amended by St. Louis County in March 1988 to increase the number of beds allowed in the nursing facility and to add setbacks for an addition.
- In August 1989, the City approved Conditional Use Permit #2 which allowed for limited service and retail commercial uses – Permit #2 repealed Permit #264 and its amendment. In May 2008, Conditional Use Permit #2 was repealed with the approval of Conditional Use Permit #29, which added additional property to the existing lot governed by the Conditional Use Permit – no changes were made to the uses or setbacks.
- The site is surrounded by Faust Park (Park & Scenic District); Hugo Essen Farm and Arrowhead West (Non-Urban District); and residential subdivisions (R4 and R3 Residence Districts)
- The Comprehensive Land Use Plan designates the site as *Residential Single Family.*
- Before the Commission are two requests:
    1. The Petitioner is requesting to rezone the site from "NU" Non-Urban to "R4" Residence District, which is a straight zoning district. The "NU" District is a "holding" pattern – in order to make any future changes to the Conditional Use Permit, the site must be in an active zoning district. The existing Conditional Use Permit will be eliminated if the zoning is changed.
    2. In concert with the change of zoning to "R4", the Petitioner is requesting that the Conditional Use Permit (C.U.P.) be re-instated.
- The two requests will require separate votes – one for the rezoning and one for the C.U.P.

PETITIONER'S PRESENTATION:
Mr. Brandon Harp, Principal at Civil Engineering Design Consultants – on behalf of Friendship Village of West County, 11402 Gravois, St. Louis, MO stated the following:

- The Petitioner is currently working on a multi-phased Master Plan for the subject site. When the plan is finalized, they will petition the Commission with a public hearing for a new Site Development Plan.
- At this time, they are requesting the "R4" zoning only – no improvements are being proposed.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:
It was noted that there were no issues raised and that the petitions are also under "Old Business" for vote.

Ms. Aimee Nassif, Planning & Development Services Director pointed out that if the rezoning is approved by Planning Commission, it will move forward to the Planning & Public Works Committee and then on to City Council. The Conditional Use Permit is voted upon by the Planning Commission but is contingent upon the zoning being approved by City Council.

B. P.Z. 13-2011 Chesterfield Village Parcel C-300 (Chesterfield Village, LLC.): A request for a Commercial-Industrial Designed Development Procedure on a "C8" Planned Commercial-zoned tract of land of 21.5 acres in size and located on the south side of Swingley Ridge Road west of its intersection with the Chesterfield Parkway (18S430237).

Substituting for Shawn Seymour, Senior Planner Justin Wyse gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Wyse stated the following:

- All State and local Public Hearing requirements for this petition were completed.
- The subject site is part of a larger development that was initially approved in 1979 by St. Louis County. The original petition included over 80 acres of land – the subject petition is for 21.5 acres.
- The site was zoned "C8" Planned Commercial District in 1979 by St. Louis County as a part of the northwest quadrant of Chesterfield Village. The "C8" Ordinance was amended several times by St. Louis County and City

of Chesterfield to permit modifications to various development standards, the last of which occurred in 1997.

- In 1999 there was a subdivision of the land and the current Dierberg's Office building was constructed, which is the only completed development in this area.
- The site is predominantly surrounded by commercial development.
- The Comprehensive Land Use Plan designates the site as *Urban Core.*
- The request is as follows:
  - To allow *office, general* as a permitted use in Building Group B. Currently, Building Group B allows for the construction of a hotel with no other uses permitted.
  - If Building Group B is developed as *office*, allow a maximum of 500,000 sq. ft. of development on Building Groups A & B.
  - If Building Group B is developed as *office*, a maximum of six floors in height would be permitted.

The following table gives a Comparison of the Petitioner's Request vs. what is currently allowed in the governing ordinance.

	Building Group A	**Building Group B**
Current Permitted Uses	Office, retail, 1 gas station, restaurant, theater, heliport	Hotel, retail commonly associated with a hotel
Requested Use	No change	Additional use of *office, general*
Existing Uses	Dierberg's office building	Vacant
Developed Density	94,783 square feet	0 square feet
Existing Allowed Density	460,000 square feet	350-room hotel – no maximum on the square footage
Requested Density	• If Building Group B is developed as ***office, general,*** a maximum of 500,000 square feet be permitted for both Building Groups A and B. • If Building Group B is developed as a ***hotel,*** there would be no change.	
Existing Allowed Height	6 floors	Maximum height of 15 floors if developed as ***hotel***
Requested Height	No change	Maximum height of 6 floors if developed as ***office***
Overall Development Density Does NOT Change – 1,000,000 square feet maximum		

Ms. Nassif asked Mr. Wyse to provide information about the Performance Standards in the existing governing ordinance and how they are not changing.

Mr. Wyse stated that the existing ordinance, which governs the entire northwest quadrant of Chesterfield Village, is very detailed on what is allowed, how much is allowed, where it can be located, and how access is granted to the development. The Petitioner is not requesting that any of these standards being changed, which is why a CIDD is being proposed. A CIDD allows all the existing Performance Standards to remain with changes to the permitted uses in order to allow minor flexibility.

PETITIONER'S PRESENTATION:
Mr. Mike Doster, Attorney representing the Petitioner, 16090 Swingley Ridge Road, Chesterfield, MO stated the following:

- The Attachment A language that was distributed to the Planning Commission during the Work Session is acceptable to the Petitioner and accurately represents their request.
- Building Group B currently allows for a 15-story hotel; Building Group A allows office at a maximum square footage of 460,000.
- They are trying to add some flexibility in Building Groups A and B so if a hotel is not developed on Group B, it can be developed as an office. They are requesting an additional 40,000 square feet for Group A and accepting a reduced height on an office building in Group B to six stories vs. fifteen stories for a hotel.
- This request has been motivated by serious interest from a single user, who has specific square footage requirements.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:
No issues were identified. Mr. Wyse stated that the petition is under "Old Business" for vote.

Commissioner Proctor read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Puyear made a motion to approve the minutes of the October 24, 2011 Planning Commission Meeting. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 6 to 0 with 1 abstention from Commissioner Watson.**

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS - None

VIII. OLD BUSINESS

A. P.Z. 10-2011 Friendship Village of West County (15201 Olive Boulevard): A request for a change of zoning from "NU" Non-Urban District to a "R4" Residence District for a 34.5 acre tract of land at the northwest corner of Olive Boulevard and Arrowhead Estates Lane. (17S320445)

Senior Planner Mara Perry stated that P.Z. 10-2011 pertains to the rezoning from "NU" Non-Urban to "R4" Residence District for Friendship Village of West County. Staff has no issues with the petition. The Petitioner would be required to meet the zoning district requirements of the "R4" as a straight zoning district, which does not include an Attachment A.

Commissioner Geckeler made a motion to approve P.Z. 10-2011 Friendship Village of West County (15201 Olive Boulevard). The motion was seconded by Commissioner Proctor.

Upon roll call, the vote was as follows:

Aye: Commissioner Midgley, Commissioner Proctor, Commissioner Puyear, Commissioner Watson, Commissioner DeGroot, Commissioner Geckeler, Chair Nolan

Nay: None

The motion passed by a vote of 7 to 0.

B. P.Z. 11-2011 Friendship Village of West County (15201 Olive Boulevard): A request for a Conditional Use Permit (CUP) in a "R4" Residence District for a 34.5 acre tract of land at the northwest corner of Olive Boulevard and Arrowhead Estates Lane. (17S320445)

Senior Planner Mara Perry stated that P.Z. 11-2011 pertains to a request for a Conditional Use Permit in an "R4" Residence District for Friendship Village of West County. Staff has no issues with the petition. The Conditional Use Permit would be re-issued with no changes to the permit. If approved this evening, the

Conditional Use Permit would not become effective until the rezoning is approved by City Council.

Commissioner Puyear made a motion to approve P.Z. 11-2011 Friendship Village of West County (15201 Olive Boulevard). The motion was seconded by Commissioner DeGroot.

Upon roll call, the vote was as follows:

Aye: Commissioner Proctor, Commissioner Puyear, Commissioner Watson, Commissioner DeGroot, Commissioner Geckeler, Commissioner Midgley, Chair Nolan

Nay: None

The motion passed by a vote of 7 to 0.

C. P.Z. 13-2011 Chesterfield Village Parcel C-300 (Chesterfield Village, LLC.): A request for a Commercial-Industrial Designed Development Procedure on a "C8" Planned Commercial-zoned tract of land of 21.5 acres in size and located on the south side of Swingley Ridge Road west of its intersection with the Chesterfield Parkway (18S430237).

Senior Planner Justin Wyse stated the Public Hearing was held earlier this evening. The request is for a CIDD on Parcel 3, Building Group B which would allow for an office to be constructed and makes minor adjustments to the density allotted to Building Group A and Building Group B in the event an office is constructed at the subject site. No issues have been raised.

Staff is recommending that the Commission vote on the amended Attachment A distributed at the prior Work Session meeting vs. the Attachment A that was distributed with the meeting packets.

Commissioner Geckeler made a motion to approve P.Z. 13-2011 Chesterfield Village Parcel C-300 (Chesterfield Village, LLC.) with the amended Attachment A. The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

Aye: Commissioner Watson, Commissioner DeGroot, Commissioner Geckeler, Commissioner Midgley, Commissioner Proctor, Commissioner Puyear, Chair Nolan

Nay: None

The motion passed by a vote of 7 to 0.

IX. NEW BUSINESS

Ms. Nassif stated that at the next meeting, the Architectural Review Board Liaison Schedule for 2012 would be circulated.

She also reported that there will be Planning Commission meetings on November 28th and December 12th.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:02 p.m.

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Michael Watson, Secretary