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PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
OCTOBER 24, 2005

The meeting was called to order at 7:07 p.m.

I.	**PRESENT**	**ABSENT**
	Mr. David G. Asmus	Dr. Lynn O'Connor
	Mr. David Banks	
	Mr. Fred Broemmer	
	Dr. Maurice L. Hirsch, Jr.	
	Ms. Lu Perantoni	
	Mr. Thomas Sandifer	
	Ms. Victoria Sherman	
	Chairman Stephanie Macaluso	

Councilmember Mike Casey, Council Liaison
City Attorney Doug Beach
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill-Clay, Assistant Director of Planning
Mr. Kyle Dubbert, Project Planner
Mr. Nick Hoover, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Mary Ann Madden, Planning Assistant

Chair Macaluso acknowledged the attendance of Councilmember Mike Casey, Council Liaison; Councilmember Durrell, Ward I; Councilmember Bruce Geiger, Ward II; Councilmember Brown, Ward IV; and Councilmember Connie Fults, Ward IV.

Chair Macaluso noted that this would be City Attorney Beach's last Planning Commission meeting after 17-1/2 years. She thanked Attorney Beach for his service to the City.

II. INVOCATION: Commissioner Broemmer

III. PLEDGE OF ALLEGIANCE - All

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

A. **P.Z. 14-2005 Rhodes Development (Plaza Tire)**: A request for a change of zoning from "C-8" Planned Commercial to "PC" Planned Commercial for a 1.5-acre parcel located south of Chesterfield Airport Road, west of Valley Center Drive. (Locator Number 17U14-0120)

Proposed Uses:

(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.

(rr) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.

(uu) Vehicle repair facilities for automobiles.

(vv) Vehicle service centers for automobiles.

Project Planner Kyle Dubbert gave a PowerPoint Presentation showing photographs of the site and surrounding area. Mr. Dubbert stated the following:

- The Comprehensive Plan designates the site to be Mixed Use (Retail, Office, Warehouse) - a conceptual Land Use category consisting of a mixture of office, office/warehouse, distribution and retail development with a maximum height of 3 stories.

PETITIONER'S PRESENTATION:

1. Mr. John King, Attorney representing Rhodes Development, 168 North Meramec, Clayton, MO stated the following:
   - The site is across from 84 Lumber and Lou Fusz Automobile Dealership.
   - The existing buildings on the site will be torn down; a new Plaza Tire and Service Center will be built.
   - The site plan shows a one-story building which is 7,740 sq. ft. in size. There will be five bays on each side facing to the east and west.
   - There will be two curb cuts on the site that will lead to the parking and the building. There will be 43 parking spaces on site; 42 spaces are required.
   - The hours of operation will be Monday-Saturday from 7:00 a.m. – 8:00 p.m. and Sunday from 10:00 a.m. – 6:00 p.m.
   - The type of work to be done at this site will be retail tire sales and service, along with under-hood automotive work. There will be no body work, transmission work or large work on motors at this location. Oil changes, brake service, etc. will be performed on site.

Responding to questions from the Commission, Mr. King stated the following:

- He will review whether cross access with St. Louis Family Church is practical. If practical, they are willing to provide cross access primarily for deliveries.
- The distance between the two curb cuts will be about 30-50 ft.

2. Mr. Ruficalor, Doering Engineering, 4850 Lemay Ferry, St. Louis, MO stated he was available for questions.

3. Mr. Scott Rhodes, 2301 Bloomfield Road, Cape Girardeau, MO stated he was available for questions.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:
1. If practical, provide cross access with St. Louis Family Church, primarily for deliveries.
2. Show location of any sidewalks that will be provided.
3. Provide a comparison of uses with Dobbs and other auto tire companies in the Valley.
4. Review uses (cc) "*not including any sales of automobiles*" and (rr) "*including indoor sale of motor vehicles"* for contradiction.
5. Review uses (uu) "*Vehicle repair facilities for automobiles"* and (vv) "*Vehicle service centers for automobiles"* for redundancy.
6. Review use (uu) "*Vehicle repair facilities for automobiles"*. Clarify that this does not include body repair.
7. Review the number of curb cuts.

Commissioner Asmus read the Closing Comments for Public Hearing **P.Z. 14-2005 Rhodes Development** noting the earliest possible date the Planning Commission could vote on the subject petition would be November 28, 2005.

B. P.Z. 18-2005 City of Chesterfield (Sign Calculations): An ordinance amending the City of Chesterfield Zoning Ordinance Section 1003.168B regarding the calculation of attached wall signs.

Project Planner Aimee Nassif gave a PowerPoint Presentation and stated the following:
- Staff has reviewed over 200 sign applications this year.
- Staff has been working with the City Attorney and City Administrator to update the language in the Zoning Ordinance to clarify how attached wall signs are calculated.

- The proposed language does not change the way the Department is currently calculating signage, but makes the regulations easier to comprehend for developers, citizens, and petitioners.
- The current language is lengthy and somewhat confusing to understand and interpret**.** The proposed language is in outline form using the same requirements of how the signs are calculated.
- **Proposed Language**: The size of attached wall signs shall be measured in the following manner:
    (a) The outline area of an attached wall sign shall include all lettering, graphic representation, logo, design, or any figure together with the background, whether open or enclosed, upon which they are displayed.
    (b) A sign consisting of individually cut out writing is measured as the total area of the smallest rectangle or square enclosing all words.
    (c) A sign with multiple lines of wording where the lines are one (1) foot or less apart from each other shall be measured as the area enclosing the wording on the first line plus the area enclosing the wording on subsequent lines. (Measured with two boxes.)
    (d) A sign with multiple lines of wording where the lines are greater than one (1) foot apart shall be measured as the total area of the smallest rectangle or square enclosing all words.
    (e) Logos or other graphic representation:
        (i) When an attached wall sign includes a graphic representation or logo located one (1) foot or less directly above individually cut out writing, the outline area shall be calculated as the sum of the area within the limits of writing **plus** the area within a rectangle or square enclosing the graphic representation or logo. (Calculated with two boxes.)
        (ii) When an attached wall sign includes a graphic representation or logo located more than one (1) foot directly above individually cut out writing, or when a logo or graphic representation is located on either side of individually cut out writing, the outline area shall include the area within a rectangle or square, which completely contains all the sign's letters, logos, figures, designs, graphic representations or symbols. (Calculated with one box.)
- The language proposed by the Department of Planning is a clearer reflection of how signs are currently calculated and would provide clarification and increase readability for the Zoning Ordinance.
- The language would be included in the Unified Development Code.

Responding to questions from the Commission, Ms. Nassif stated the following:

- Diagrams of how signs are measured will be included in the Unified Development Code.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:
1. Define "negative space".

Commissioner Asmus read the Closing Comments for Public Hearing **P.Z. 18-2005 City of Chesterfield (Sign Calculations)** noting the earliest possible date the Planning Commission could vote on the subject petition would be November 14, 2005.

C. P.Z. 24-2005 Kommerz LLC (Clock Tower Plaza): A request for a change of zoning from "C-8" Planned Commercial to "PC" Planned Commercial for a 2.61-acre parcel located south of Chesterfield Airport Road, east of Chesterfield Commons East Road. (Locator Number 17T24-0243)

Proposed 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.

(f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.

(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.

(j) Broadcasting studios for radio and television.

(k) Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.

(m) Child care centers, nursery schools, and day nurseries.

(n) Colleges and universities.

(o) Dry cleaning drop-off and pick-up stations.

(q) Film drop-off and pick-up stations.

(s) Financial institutions.

(u) Hospitals.

(w) Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
- (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or
- (ii) Placed underground; or
- (iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area. All

plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

(x) Medical and dental offices.
(z) Offices or office buildings.
(bb) Outpatient substance abuse treatment facilities.
(dd) Police, fire, and postal stations.
(ee) Public utility facilities.
(gg) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
(ii) Restaurants, sit down.
(mm) Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
(nn) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
(pp) Permitted signs.
(qq) Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.
(rr) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.

Nick Hoover gave a PowerPoint Presentation showing pictures of the site and surrounding area. Mr. Hoover stated the following:

- The rezoning will accommodate a 24,000 sq. ft. building.
- The existing use is**: Vacant/ C-8**
- The Comprehensive Plan Designation is**: Mixed Commercial**
- The petitioner is proposing: **PC – Planned Commercial**
- The minimum open space for all Valley sites is 30%, which can include drainage ditches, sidewalks, etc.

PETITIONER'S PRESENTATION:

1. Mr. George Stock, Stock & Associates, Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
   - They are requesting rezoning from C8 to Planned Commercial.
   - Ordinance 13182 was adopted by St. Louis County Council in March 1987. The ordinance covers what is now known as Lot 1 and Lot 2 of Silver Maples Farm. Lot 1 is Metropolis and Lot 2 is the subject site.

- Ordinance 13182 allows a 30,000 sq. ft. office building. A site development plan was approved and recorded.
- Since the plan was recorded, Old Olive Street Road was relocated and re-constructed as Edison Avenue. At the time of recording, Chesterfield Commons East did not exist.
- They propose to build a retail center. The original application called for a 24,200 sq. ft. building. The building size has now been reduced to a 23,400 sq. ft. single-story retail building.
- The site includes part of the master drainage channel, located west between their property line and Chesterfield Commons East. This is land which is not part of Lot 2.
- There is also an open drainage channel, which is part of the master drainage channel representing about 18,000 sq. ft. of the site plan.
- The building is oriented with the front to the west, the back to the east abutting Storage Masters.
- Access is a single bi-directional access off Chesterfield Commons East. There is an access easement, which was granted as part of the Chesterfield Commons to serve this property.
- There is a secondary, gated emergency access required by Monarch Fire Protection. The emergency access is located off of Edison.
- The Plan, as drawn, is parked at 5 spaces/1000, which yields 117 parking spaces located on the south, the west, and the north.
- The Plan has 45% open space. If the 18,000 sq. ft. area, encumbered by the drainage easement, were eliminated, the open space would be 34.25%.
- The existing C8 ordinance would still be enforced on Lot 1. They are requesting that only Lot 2 be rezoned to Planned Commercial.

2. Mr.Rick Clawson, ACI-Boland, Inc., 11477 Olde Cabin Road, St. Louis, MO showed photographs of the site and stated the following:
   - The building is designed to be four-sided - the rear and sides of the building being masonry.
   - The clock tower has been aligned with the drive that runs across Chesterfield Commons.
   - The north and south ends of the building have a small amount of retail frontage on them.
   - The majority of the retailers will open directly off of the front to the main parking field.
   - Access along the back of the building is for emergency fire access.
   - A sidewalk has been provided along the rear of the building.
   - A pedestrian courtyard seating area has been provided to enhance the retail atmosphere.

Responding to questions from the Commission, the following was noted by the Petitioners:

- **What is the traffic circulation for delivery trucks with respect to the gated entrance on Edison?** The Petitioners do not have an issue with the access not being gated. If Planning Commission does not feel it is necessary to gate the access, they are receptive to it. The site does have access off Edison. It is their understanding that Edison would be a secondary or emergency access. City Attorney Beach stated the Department of Public Works will not allow access on to Edison Road.
- **Regarding loading areas:** Loading zones are along the north side for delivery vehicles.
- **Regarding storm water:** The master drainage channel drains from the east from the Grove property continuing west through their property, going south underneath the proposed boxed culvert, going west under dual-boxed culverts to the storm water pump station, located behind the Target store.
- **Regarding pedestrian access to The Commons East:** There is no sidewalk connection to connect into at this point. They are agreeable to providing a sidewalk getting over to the street area across their cross access area.
- **Regarding access over the storm drainage ditch:** A boxed culvert will be built.
- **Regarding the drop-off near the parking lot off of Edison Road:** The site will be elevated two feet. The drop-off from Edison down to the building will be about 3-1/2 feet. The driveway is only for the Fire Department and is an acceptable slope for them.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:
1. Circulation of delivery trucks.
2. Pedestrian access to Chesterfield Commons East.
3. Review the possibility of reducing the proposed uses.
4. Review eliminating the uses of: animal hospitals and kennel; and hospitals.
5. Review the language used by the airport with respect to child care centers.
6. Provide information as to where landscaping will occur between the Metropolis and the subject use.
7. Provide information on how parking will be screened from Edison Avenue.
8. Provide information from the Department of Public Works regarding the recreational easement along Edison Avenue.

Commissioner Asmus read the Closing Comments for Public Hearing **P.Z. 24-2005 Kommerz LLC (Clock Tower Plaza)** noting the earliest possible date that the Planning Commission could vote on this petition would be **November 28, 2005**.

D. **P.Z. 29-2005 Chris Schulenburg (14310 Olive Road):** A request for a Residential Business Use Procedure in an "R-2" Residential Zoning District for a 0.48 acre tract of land located at 14310 Olive Road, south of Olive Road and east of Glenfield Ridge. (Locator Number 16R310846). The request contains the following permitted uses: Office

Project Planner Aimee Nassif gave a PowerPoint presentation showing photos of the site and surrounding area. Ms. Nassif stated the following:

- The Public Hearing notices were posted on the site on October 7, 2005.
- The Residential Business Use Procedure provides an alternative for commercial activities within an existing single-family residential dwelling.
- An Attachment A will be drafted for vote by the Planning Commission with final approval by the City of Chesterfield City Council.
- Once the Attachment A is approved, the petitioner will submit a Site Development Plan for review and approval.
- Staff has the following comments that will be included in the Issues Letter to the Petitioner:
  - Per Ordinance 2107, the hours of operation are to be approved by the Planning Commission.
  - When adjacent to single-family property, the ordinance requires a landscape buffer 20 feet in width.
  - The parking setback requirement for RBU Procedures is 10 feet from the side and rear property lines. Setbacks shall contain screening to consist of fencing, landscaping or other features as approved by Planning Commission.
- The Petitioners are proposing 6 parking spaces; 2 in the garage and 4 outside. The Ordinance governing RBU Procedures allows for a maximum of 6 spaces, including the garage.
- The RBU allows for 1 sign on the property to be located either on the mailbox or on the structure not to exceed 3 square feet.
- Staff has received a letter from the property owners at 534 Glenfield Ridge Court, which is directly behind the subject site, in support of the requested RBU procedure.

Responding to questions from the Commission, Ms. Nassif stated the following:

- The property at 534 Glenfield Ridge Court is built upon. The property owners are in support of the petition.
- The property adjacent to the subject site along Olive is zoned residential but is vacant at this time.
- A cross-section profile will be provided during the site plan review process.

PETITIONER'S PRESENTATION:

1. Mr. Chris Schulenburg,14264 Forest Crest Drive, Chesterfield, MO 63017 stated the following:
   - The company at the subject site is Clark Financial Services. They see clients one at time by appointment only.
   - The hours of operation are from 9:00 a.m. to 5:00 p.m. Monday-Friday with no evening or weekend hours.

2. Mr. R. B. Clark III, 736 Fairfield Lake Drive, Town & Country, MO stated he was available for questions.

SPEAKERS IN FAVOR:

1. Mr. Brad Scherzer, 534 Glenfield Ridge Court, Chesterfield, MO stated the following:
   - He and his wife are the owners of the property immediately adjacent to the subject site.
   - They have met R. B. Clark and Chris Schulenburg, who have shared with them the plans for the site. The Petitioners have consulted and accommodated them throughout the process.
   - They are in favor of the petition.

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL:

1. Mr. Paul Ferber, Attorney, 1227 S. Geyer Road, Kirkwood, MO stated the following:
   - He represents the abutting property owner to the east.
   - His client has pending, before the City, a proposal for a two-lot subdivision on the vacant property abutting immediately to the east. His client has stayed within the zoning constrictions for his site.
   - On the two-lot subdivision, there will only be one entrance.
   - His client feels it will be extremely difficult to sell his two-lot subdivision property with a commercial piece of property next to it.

City Attorney Beach clarified that the subject site is not a commercial piece of property – it remains residential with a commercial use, which is allowed in an overlay district. The property will look the same and will have low-intensity uses.

Responding to questions from the Commission, Mr. Ferber stated the following:
- He and his client have not yet met with the Petitioner.
- If the petition were not approved, his client would be interested in the property for residential purposes depending on price.

REBUTTAL: None

ISSUES:

1. Parking on the site with the parking setback for Ordinance 2107. Provide information as to whether the required parking can be met without so much asphalt.
2. Landscape buffer to the adjacent property.
3. The hours of operation.
4. Provide information on CSPs that have been approved along Olive.
5. Provide information on how many existing trees will be removed.
6. Provide information on the elevation of the finished floor of the house.
7. Insure that the building is handicapped-accessible and that handicapped parking space is provided.
8. Review the drainage in the southeast corner where the new parking spaces would be. Is the manhole there to accommodate the drainage?

Commissioner Asmus read the Closing Comments for Public Hearing **P.Z. 29-2005 Chris Schulenburg (14310 Olive Road)** noting the earliest possible date that the Planning Commission could vote on this petition would be **November 28, 2005**.

V. APPROVAL OF MEETING MINUTES

Commissioner Sherman made a motion to approve the Meeting Summary of October 10, 2005 with a change on page 8 as follows:

> *Responding to questions from the Commission, Mr. Teitelbaum stated the following:*
>
> - *He has met with Ann Baines-McNeil, Marshall Galliers and Drew Thomas from Old Clarkson Forest subdivision.*
> - ~~*They do*~~ ***The petitioner does*** *not believe that Phase I of the project has had any impact on the lake.*

The motion was seconded by Commissioner Sandifer and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT

RE: P.Z. 8-2005 St. Luke's Episcopal Presbyterian Hospitals

Petitioners:

1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005 stated the following:
   - They accept Exhibits A and B.

- They have an issue with the Permitted Uses. In the MU district, there are specific permitted uses and ancillary uses. They request that the Commission allow the MU uses rather than the uses in the CUP.
- They would accept the condition of limiting the hospital to a maximum of 500 beds.
- Regarding the threshold language in L.4. of the Attachment A, language has been drafted for review by City Attorney Beach.

Responding to questions from the Commission, Mr. Doster stated the following:

- They are agreeable with not having overnight accommodations in the Medical Office Building.

2. Mr. George Stock, 257 Chesterfield Business Parkway, Chesterfield, MO was available for questions.

3. Mr. Rick Clawson, 11477 Olde Cabin Road, St. Louis MO was available for questions.

4. Ms. Shawn White, 4133 Brook Ridge, Arnold MO 63010 was available for questions.

City Attorney Beach referred to the language in Exhibit B regarding Ladue Farm Estates which states:

> "*Improvements as may be required by the City of Chesterfield and/or the Missouri Department of Transportation to the shared access of Ladue Farm Estates Subdivision and parcel A shall be completed prior to occupancy of a specified phase of construction on said Parcel."*

City Attorney Beach noted that "*said Parcel"* refers to Parcel A. He asked how much work is going to be done on Parcel A. Mr. Doster replied that they are adding a relatively small amount of square footage to Parcel A.

City Attorney Beach recommended changing the language in Exhibit B as follows:

> "*Improvements as may be required by the City of Chesterfield and/or the Missouri Department of Transportation to the shared access of Ladue Farm Estates Subdivision and Parcel A shall be completed prior to occupancy of ~~a specified phase of construction on said Parcel~~* ***the additions to Phase I."***

Mr. Doster accepted this change.

In Opposition:

1. Mr. William McCurdy, 13511 Conway Road, Chesterfield, MO noted that he had provided a letter to the Commission, dated October 24, 2005, outlining his concerns. Mr. McCurdy then stated the following:
   - He is not opposed to the hospital going into the Medical Use District.
   - He has concerns of how specific aspects of the project will affect the residential property neighboring the hospital.
   - He has concerns relative to building heights, specifically building heights for Parcel A. He noted that the building heights for Parcel A are limited to 148'. He felt the language should explicitly state that only the hospital building may be as high as 148' and that the other buildings may not be higher than their present height.
   - He has concerns that the security fences provided for in the CUP are not referred to in the revised Attachment A.
   - He has concerns that there are very minimal distances set forth for setbacks and very large limits set for height, which do not correspond to what he felt had been previously worked out - specifically, the east setback being 400' to the new parking garage. The new ordinance reads it will be 50' from the right-of-way line and 25' from any side or rear property line.
   - Speaker provided pictures to the Commission of the subject site. He noted that the photo of the main hospital building shows the central wing and it is his understanding that this wing will be higher, which will be a big difference in the silhouette as the building is viewed from the neighboring property.
   - He has concerns about lighting from the parking garage shining onto his property.

2. Mr. James Mettes, 13757 Conway, Chesterfield, MO stated the following:
   - He is opposed to the zoning change from Residential to Medical Use.
   - He has concerns about access and traffic. Based on the petitioner's traffic study, there are currently approximately 32,000 cars on 141 throughout the day. He has concerns with additional traffic at the Brookings Park/141 intersection during the peak times.
   - He requests that the development be delayed until the traffic situation is improved.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. Outdoor Equipment: A Record Plat for an 8.34-acre "C-8" Planned Commercial District-zoned parcel of land located on the north side of North Outer Forty Road, east of Long Road.

Commissioner Hirsch, representing the Site Plan Committee, made a motion to accept the Record Plat. The motion was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0**.

B. **River Crossing**: Amended Site Development Concept Plan for a Planned Commercial Development called River Crossing located on the north side of Chesterfield Airport Road and east of Public Works Drive.

Commissioner Hirsch, representing the Site Plan Committee, made a motion to accept the Amended Site Development Concept Plan. The motion was seconded by Commissioner Sandifer and **passed by a voice vote of 8 to 0**.

C. **River Crossing Lot 5:** Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations for a retail/restaurant building on Lot 5 of River Crossing, zoned "P-C" Planned Commercial located on the north side of Chesterfield Airport Road and east of Public Works Drive.

Commissioner Hirsch, representing the Site Plan Committee, made a motion to accept the Site Development Section Plan, Landscape Plan, and Architectural Elevations. The motion was amended by Commissioner Sherman to add two additional marked walkways from the sidewalk surrounding the building to lead up to the building. The amended motion was seconded by Commissioner Banks and accepted by Commissioner Hirsch. The amended motion **passed by a voice vote of 8 to 0**.

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D. **Spirit of St. Louis Airpark (Stone Technologies):** Site Development Section Plan, Landscape Plan and Architectural Elevations for an office/warehouse building at 550 Spirit of St. Louis Blvd. in the Spirit of St. Louis Airpark Subdivision, zoned "M3" Planned Industrial located on the east side of Spirit of St. Louis Blvd, south of Chesterfield Airport Road and North of Edison Ave.

Commissioner Hirsch, representing the Site Plan Committee, made a motion to accept the Site Development Section Plan, Landscape Plan and Architectural Elevations. The motion was seconded by Commissioner Broemmer and **passed by a voice vote of 8 to 0**.

(The meeting recessed for 5 minutes.)

VIII. OLD BUSINESS

A. **P.Z. 8-2005 St. Luke's Episcopal Presbyterian Hospitals:** A request for a change of zoning from "NU" Non-Urban District to "MU" Medical Use District for five (5) parcels of land located at the intersection of Woods Mill Road and Conway Road. Total area to be rezoned: 78.6 acres. (Locator Numbers: 18Q240306, 18Q230185, 18Q210211, 18Q140260, 18Q140251)

City Attorney Beach proposed amending Exhibit B as follows:

> "*Improvements as may be required by the City of Chesterfield and/or the Missouri Department of Transportation to the shared access of Ladue Farm Estates Subdivision and Parcel A shall be completed prior to occupancy of ~~a specified phase of construction on said Parcel~~* ***any new construction adding square footage to Parcel A.*** *~~This phase of construction shall be indicated on the Site Development Concept Plan."~~*

It was noted that with the elimination of Parcel C from the petition, there are now only four parcels of land involved.

Commissioner Broemmer had concern that the Petitioner could make improvements to the shared access of Ladue Farm Estates Subdivision be the last thing to be done. He felt it should be given higher priority.

Commissioner Hirsch made a motion to accept P.Z. 8-2005 St. Luke's Episcopal Presbyterian Hospitals with the Attachment A and with the condition that Exhibit A, along with the following language, be incorporated in the Attachment A:

> *"The use allowed by this permit shall be that of a five hundred (500) bed maximum general acute hospital. ~~including any accessory facilities customarily associated with said hospital, such as medical offices, research and education centers, specialized treatment centers (i.e. a radiation oncology center), etc.~~ No overnight accommodation rooms shall be permitted in the medical office buildings."*

In addition, the Attachment A shall include Exhibit B as amended by City Attorney Beach.

The motion was seconded by Commissioner Asmus. **The motion was amended by Commissioner Broemmer to amend the language in Exhibit B as follows:**

> "*Improvements as may be required by the City of Chesterfield and/or the Missouri Department of Transportation to the shared access of Ladue Farm Estates Subdivision and Parcel A shall be completed prior to occupancy of ~~a specified phase of construction on said Parcel~~* ***any new construction adding square footage. ~~to Parcel A.~~*** *~~This phase of construction shall be indicated on the Site Development Concept Plan."~~*

The amended motion was seconded by Commissioner Banks.

Commissioner Sherman did not feel the amendment should be imposed upon the Petitioner.

Commissioner Hirsch spoke against the amendment as he felt the improvements related to building on Parcel A.

Commissioner Banks stated that the intersection and access to the hospital will have increased traffic and congestion when construction begins on Parcel B. He felt improvements should be dealt with at that time if Parcel B construction begins before Parcel A construction.

Commissioner Broemmer stated that any construction on either side will produce cross traffic and increased traffic at the intersection.

Commissioner Asmus stated that he did not feel the amendment should be supported. He felt that the Commission was doing a lot by asking the Petitioner to deal with Ladue Farm Estates' access as provided in the language proposed by Mr. Beach.

Commissioner Perantoni spoke against the amendment. She agreed that it is a very bad traffic situation but in reviewing the community as a whole, she felt that a larger ICU space would not affect the traffic and would help people be cared for without sitting out in the hallways of St. Luke's.

City Attorney Beach stated that the language is provided as a "catch-all". If the City and MoDOT decide the improvements have to be done sooner, the work will have to be done sooner.

Upon voice vote, the amendment to the motion failed 3 to 5.

City Attorney Beach referred to page 8 of the Attachment A, Item L.4. and proposed the following addition after the second sentence:

> *"The Department of Public Works shall establish thresholds of development based upon a percentage of the square footage that is completed."*

Commissioner Hirsch and Commissioner Asmus accepted the proposed language as part of the motion.

City Attorney Beach referred to page 9 of the Attachment A, Item M. pertaining to Traffic Study and proposed the following change to the last sentence:

> *"Said study shall be updated as deemed necessary* ***by the Department of Planning*** ~~*during development of the site.*~~

Commissioner Hirsch and Commissioner Asmus accepted the proposed language as part of the motion.

Ms. McCaskill-Clay stated that Mr. Doster is requesting the following modification to the last sentence of Item 4 on page 8 of the Attachment A as follows:

> *"The improvements to South Woods Mill Road shall be constructed within one year of issuance of any permit or occupancy permit of building in excess of said threshold for Parcel B as directed by the Department of Public Works."*

Commissioner Hirsch and Commissioner Asmus accepted the proposed language as part of the motion.

Upon roll call, the vote was as follows:

Aye: Commissioner Asmus, Commissioner Broemmer, Commissioner Hirsch, Commissioner Perantoni, Commissioner Sherman, Chairman Macaluso

Nay: Commissioner Banks, Commissioner Sandifer

The motion passed by a vote of 6 to 2.

B. P.Z. 28-2005 City of Chesterfield (Lighting Ordinance): A request to amend the City of Chesterfield Lighting Ordinance to address the type of residential outdoor light standards provided by AmerenUE.

Commissioner Sherman made a motion to hold **P.Z. 28-2005 City of Chesterfield (Lighting Ordinance)** until Staff gathers further information. The motion was seconded by Commissioner Broemmer and **passed by a voice vote of 8 to 0.**

IX. NEW BUSINESS

RE: Letter from Stephen L. Kling, Jr. of Jenkins & Kling, P.C. dated October 19, 2005 regarding Wild Horse Creek Road Sub Area Study

City Attorney Beach addressed the Commission regarding Mr. Kling's letter pertaining to "Ethical Principles in Planning". He stated that the Commission has the ability to allow more public comment from outside sources other than those who have already been sought out. He felt that the Commission has already had a tremendous amount of input regarding this issue but the Commission always has the option to allow more; however, it is not required.

RE: Resignation of City Attorney

City Attorney Beach noted that this would be his last Planning Commission meeting after 17-1/2 years. He stated that it has been a honor for him to work with the Commission and he is proud of the City and its accomplishments.

Chair Macaluso thanked Mr. Beach for his service to the City.

X. COMMITTEE REPORTS:

A. Committee of the Whole – Next Meeting – October 26, 2005
B. Ordinance Review Committee
C. Architectural Review Committee
D. Landscape Committee
E. Comprehensive Plan Committee
F. Procedures and Planning Committee
G. Landmarks Preservation Commission

XI. ADJOURNMENT

The meeting adjourned at 9:05 p.m.

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Lynn O'Connor, Secretary