

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
OCTOBER 9, 2006**

The meeting was called to order at 7:04 p.m.

I. PRESENT

Mr. David Asmus
Mr. David Banks
Ms. Wendy Geckeler
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Tom Sandifer
Ms. Victoria Sherman
Chairman Maurice L. Hirsch, Jr.

City Attorney Rob Heggie
Ms. Teresa Price, Director of Planning
Ms. Aimee Nassif, Senior Planner
Ms. Jennifer Yackley, Project Planner
Ms. Mary Ann Madden, Planning Assistant

ABSENT

Mr. Fred Broemmer

II. INVOCATION: Commissioner Asmus

III. PLEDGE OF ALLEGIANCE – All

Chair Hirsch acknowledged the attendance of Councilmember Mike Casey, Ward III and Councilmember Jane Durrell, Ward I.

PUBLIC HEARINGS - None

V. APPROVAL OF MEETING MINUTES

Commissioner Sandifer made a motion to approve the minutes of the September 25, 2006 Planning Commission Meeting. The motion was seconded by Commissioner Perantoni and passed by a voice vote of 8 to 0.

VI. PUBLIC COMMENT

RE: P.Z. 14-2006 Westfield Shoppingtown (#7, #148, #150 Chesterfield Mall and #595, #550 and #955 Chesterfield Center)

Petitioner:

1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
 - The requested amendment is to add a sign package for the Westfield properties only.
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RE: Herman Stemme Office Park

Petitioner:

1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO referred to a hand-out showing the building and parking setbacks from Chesterfield Parkway for Walgreen's, Congregation Kol Am, Ordinance #1229 for Herman Stemme Office Park, and the Attachment A in comparison to the setbacks being proposed for Lot 2C-2B. Mr. Doster stated the following:
 - The Petitioner is requesting one change to the parking setback – from 50 feet to 25 feet. The proposed setback would also affect the landscape setback changing it from 45 feet to 25 feet.
 - This requested 25-foot setback already legally exists in the Herman Stemme Office Park and is the legal setback for Kol-Am.
 - The depth of Lot 2C-2B is approximately 160 feet. If a 50-foot parking setback is required, it will not be possible to build the 20,000 sq. ft. medical building.
 - The “drive-thru canopy” would be over the entrance to the building to provide protection for patients entering and exiting the Laser & Dermatologic Surgery Center.
2. Mr. John Wagner, 17107 Chesterfield Airport Road, Chesterfield, MO chose to pass on speaking when called.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **144 South Eatherton:** A request for a variance to allow for a new residential home to exceed the two (2) story, thirty five (35) feet height requirement for residential tear downs.

Commissioner Asmus, representing the Site Plan Committee, reported that the variance request for 144 South Eatherton has been withdrawn.

- B. Gundaker Commercial Group:** Sign Approval for Gundaker Commercial Group zoned "PI" Planned Industrial District located at 100 Chesterfield Business Parkway.

Commissioner Asmus, representing the Site Plan Committee, made a motion to approve the Sign Approval as submitted. The motion was seconded by Commissioner Sandifer and **passed** by a voice vote of 7 to 0 with one abstention from Commissioner Geckeler.

- C. PetroMart Site Development Plan:** A Site Development Plan, Architectural Elevations, Landscape Plan and Lighting Plan for a 0.92 acre tract of land located at 14898 Clayton Road, on the southeast corner of Clayton Road and Baxter Road.

Commissioner Asmus, representing the Site Plan Committee, asked that the vote on this item be deferred until the ordinance amendment for PetroMart has been voted upon under "Old Business".

- D. Plaza Tire - Site Development Section Plan:** A Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations for a 1.47 acre parcel zoned "PC" Planned Commercial District located at 17520 Chesterfield Airport Road, 1,050 feet east of Long Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Landscape Plan, Lighting Plan, and Architectural Elevations as submitted. The motion was seconded by Commissioner O'Connor and **passed** by a voice vote of 8 to 0.

VIII. OLD BUSINESS

- A. Herman Stemme Office Park:** A request for an ordinance amendment to a 28.1 acre tract of land zoned "C8" Planned Commercial located at the northwest quadrant of Swingley Ridge Road and Chesterfield Parkway East.

Senior Planner Aimee Nassif stated the following:

- The ordinance amendment is for the development of Lot 2C-2B for a medical office building.
- The Attachment A is written in two parts – the first part refers to the entire Herman Stemme Office Park while the second part refers solely to Lot 2C-2B, which is located directly across from Congregation Kol Am.

The following three requested amendments to the Attachment A are acceptable to Staff **(changes in red)**:

1. Page 10 – Section I.E.2.a. regarding “Parking Setbacks”:
~~No surface parking will be permitted.~~
2. Page 10 – Section I.E.a. regarding “Structure Setbacks”:
The setback for the drive-thru canopy ~~Fifty (50) feet~~ from the right-of-way of Chesterfield Parkway East **shall be forty (40) feet.**
3. Page 13 – Section I.K.3. regarding “Access”:
Cross access shall be provided to adjacent parcels **as directed by the City of Chesterfield.**

The Petitioner is also requesting the following two amendments: **(changes in red)**:

4. Page 10 – Section I.E.2.b. regarding “Parking Setbacks”:
~~Fifty (50)~~ **Twenty-five (25)** feet from the right-of-way of Chesterfield Parkway East.
5. Page 12 – Section I.G.2. regarding “Landscape and Tree Requirements”:
A landscape buffer of ~~forty-five (45)~~ **twenty-five (25)** feet shall be required along Chesterfield Parkway East.

Ms. Nassif pointed out that the Congregation Kol Am’s site, along with its Attachment A, shows a 25-foot parking setback; however, the site was built out differently from the required minimum setback.

Commissioner Sherman made a motion to approve the ordinance amendment for Herman Stemme Office Park with the above amendments numbered 1, 2, and 3. The motion was seconded by Commissioner Geckeler.

Commissioner Asmus stated he was uncomfortable with his knowledge level of the ordinance amendment and would, therefore, be abstaining on the vote.

Commissioner Sandifer moved to amend the motion to include the above amendments numbered 4 and 5. Commissioner Sherman accepted the amendment to the motion; Commissioner Geckeler did not accept the amendment to the motion. Commissioner Banks then seconded the amended motion to include the above amendments numbered 4 and 5.

Discussion

Commissioner Sherman stated she agreed to the amended motion because the site is located in the City's urban core. She noted that when the urban core standards were set up, it was agreed not to have large setbacks in order to give a busier, urban core feeling.

Commissioner Perantoni objected to the proposed twenty-five foot parking and landscape setbacks because Kol Am has already built further back on its site, which would create a "zig-zag" effect up to the Walgreen's site.

Commissioner Geckeler stated she does not agree with the requested twenty-five foot parking and landscape setbacks since Kol Am has already established a different setback on its site.

Commissioner Sandifer pointed out that Kol Am could request to build out further since their ordinance allows a twenty-five foot parking setback.

Upon roll call, the vote to include Amendments numbered 4 and 5 in the original motion was as follows:

**Aye: Commissioner Banks, Commissioner Sandifer,
Commissioner Sherman, Chairman Hirsch**

Nay: Commissioner Geckeler, Commissioner Perantoni,

Abstention: Commissioner O'Connor, Commissioner Asmus

The motion to amend the original motion passed by a vote of 4 to 2 with two abstentions.

City Attorney Rob Heggie then advised that "abstentions" would be counted as "no" votes on the following vote to approve. For clarification purposes, Chair Hirsch noted that the following vote is on the amended motion, which includes the Attachment A as presented, along with the above amendments numbered 1 thru 5.

Upon roll call, the vote was as follows:

**Aye: Commissioner Sandifer, Commissioner Sherman,
Commissioner Banks, Chairman Hirsch**

Nay: Commissioner Geckeler, Commissioner Perantoni,

Abstention: Commissioner O'Connor, Commissioner Asmus

The motion will go forward to City Council with no recommendation with a vote of 4 to 4.

- B. **Petro Mart**: A request for an ordinance amendment to allow for a change in the height of the car wash and a structure setback for a .92 acre parcel zoned "PC" Planned Commercial located on the south side of Clayton Road, at its intersection with Baxter Road

Senior Planner Aimee Nassif stated the following:

- PetroMart was recently before the Planning Commission in April, 2006 for its rezoning.
- During Site Plan Review, it was discovered that ordinance amendments would be necessary in order to complete the Site Plan as presented. The two requested amendments to the Attachment A are as follows: **(changes in red)**
 1. Page 2 – Section I.D.b. regarding “Height”:
The maximum height for the car wash shall not exceed ~~twelve (12)~~ **seventeen (17)** feet.
 2. Page 3 – Section E.1.b regarding “Structure Setbacks”:
~~Forty (40)~~ **Thirty-eight (38)** feet from the northern property line bearing N76°02'00"E.

Ms. Nassif noted that the requested height of 17 feet does not exceed the height of the proposed, or existing, buildings of the gas station or car wash.

The requested 38-foot setback is to accommodate amendments requested by the City and County when the building was amended.

Commissioner Sherman made a motion to approve the Ordinance Amendment for **Petro Mart**. The motion was seconded by Commissioner Perantoni.

Upon roll call, the vote was as follows:

Aye: Commissioner O'Connor, Commissioner Perantoni,
Commissioner Sandifer, Commissioner Sherman,
Commissioner Banks, Commissioner Geckeler,
Chairman Hirsch

Nay: None

Abstention: Commissioner Asmus

The motion passed by a vote of 7 to 0 with one abstention.

Chair Hirsch announced that the Commission would now go back to the earlier item deferred for vote during the Site Plan Committee Report.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- C. **PetroMart Site Development Plan:** A Site Development Plan, Architectural Elevations, Landscape Plan and Lighting Plan for a 0.92 acre tract of land located at 14898 Clayton Road, on the southeast corner of Clayton Road and Baxter Road.

Commissioner Asmus, representing the Site Plan Committee, made a motion to approve the Site Development Plan, Architectural Elevations, Landscape Plan, and Lighting Plan as submitted. The motion was seconded by Commissioner Geckeler and passed by a voice vote of 7 to 0 with one abstention from Commissioner Asmus.

IX. NEW BUSINESS

- A. **P.Z. 14-2006 Westfield Shoppingtown (#7, #148, #150 Chesterfield Mall and #595, #550 and #955 Chesterfield Center):** A request for an amendment to St. Louis County Ordinance 10,241 to allow for a sign package for the following addresses zoned "C8" Planned Commercial District: 7, 148, and 150 Chesterfield Mall and 595, 550 and 955 Chesterfield Center.

Senior Planner Aimee Nassif stated the following:

- The request is for a Public Hearing for an Ordinance Amendment for the Westfield Shoppingtown.
- The Petitioner is requesting an amendment for a portion of Ordinance 10,241 to allow for a sign package for six (6) of the parcels which are part of this regional shopping district.
- The remaining parcels of this regional shopping district are not a part of this petition.
- A Public Hearing is being requested so that notification will be given to those property owners who are not part of this petition, but whose parcels would be affected by any amendments to the signage requirements.

Commissioner Banks made a motion to approve the Resolution of Intent requiring a Public Hearing on P.Z. 14-2006 Westfield Shoppingtown (#7, #148, #150 Chesterfield Mall and #595, #550 and #955 Chesterfield Center. The motion was seconded by Commissioner Sandifer and passed by a voice vote of 6 to 0 with two abstentions from Commissioners Asmus and O'Connor.

X. COMMITTEE REPORTS

Commissioner Sandifer reported that the Ordinance Review Committee created a priority list of projects for Staff.

XI. ADJOURNMENT

The meeting adjourned at 7:46 p.m.

David Banks, Secretary