

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
OCTOBER 8, 2012**

The meeting was called to order at 7:05 p.m.

I. ROLL CALL

PRESENT

Mr. Bruce DeGroot
Ms. Wendy Geckeler
Ms. Laura Lueking
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Steven Wuennenberg
Chair Michael Watson

ABSENT

Mr. Robert Puyear

Councilmember Randy Logan, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Justin Wyse, Senior Planner
Mr. Kevin Neill, Project Planner
Ms. Purvi Patel, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

Chair Watson acknowledged the attendance of Councilmember Randy Logan, Council Liaison.

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

- A. **P.Z. 11-2012 Stages-St. Louis (1023 E Chesterfield Parkway)**: A request for a change of zoning from a “C-8” Planned Commercial to a “PC” Planned Commercial District for a 2.174 acre parcel of land located on the southwest corner of E Chesterfield Parkway and Swingley Ridge Road.

STAFF PRESENTATION:

Project Planner Kevin Neill gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Neill stated the following:

- The Petitioner intends to purchase the site and relocate their offices and educational facilities from their current location at 444 Chesterfield Center to the subject site.
- All City and State Public Hearing notification requirements were met.
- The site was zoned “C8” Planned Commercial District by St. Louis County in 1978 as part of the Herman Stemme Office Park.
- The “C8” Planned Commercial District was amended by St. Louis County six times; and later by the City of Chesterfield, four times for changes to permitted uses, building heights, and parking and building setbacks.
- A Site Development Plan was approved in 2004 and the site was developed in 2006 as Congregation Kol Am. In 2011, Congregation Kol Am vacated the site.
- The Petitioner has requested a change of zoning in order to add the following Permitted Uses, three of which are not permitted under the existing “C-8” zoning:
 - a. Office, general.
 - b. Administrative office for educational or religious facility.
 - c. Theater, indoor.
 - d. Educational facility – Specialized private schools.
- The Petitioner is not requesting any other changes to the site – all other development standards for the site will remain the same.
- The City’s Comprehensive Land Use Plan designates the site as *Urban Core*, which encourages high-density residential, retail, and office uses, as well as cultural amenities.
- Issues Under Review by Staff:
 - Awaiting agency comments

PETITIONER’S PRESENTATION:

Mr. Ron Gibbs, Managing Director at Stages St. Louis, 444 Chesterfield Center, Chesterfield, MO stated the following:

- Stages is a 27-year-old professional musical theater company with their performances done in Kirkwood.
- Approximately eight years ago, they decided to move their offices and academy to Chesterfield. Enrollment at the academy has more than doubled since that time and they are looking to establish a more permanent position in Chesterfield.

- Currently they are renting their space at 444 Chesterfield Center and would like to purchase their own building. After an exhaustive search, they found the Congregation Kol Am building which suits their needs.
- They intend to utilize this building for their administrative offices and academy. The academy teaches approximately 400 students each semester in the disciplines of musical theater.

Chair Watson asked for clarification on whether the indoor theater at the subject site would be public. Mr. Gibbs stated that at the end of each semester the students give a presentation for their parents – there will not be any public performances at this site.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

No further issues were raised.

- B. P.Z. 12-2012 Chesterfield Oaks (Capitol Land):** A request for an amendment to City of Chesterfield Ordinance 2643 to add the Office, medical land use in a “PC” Planned Commercial District of 6.494 acres in size and located on the east side of Clarkson Road south of its intersection of Chesterfield Parkway and north of its intersection with Baxter Road (19S420415).

STAFF PRESENTATION:

Project Planner Purvi Patel gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Patel stated the following:

- At this time, the Petitioner is only requesting to add the *medical office* use – no other changes to the ordinance are being requested.
- All City and State Public Hearing notification requirements were met.
- Staff had received a couple of inquiries from residents east of the site regarding the requested amendment. After Staff explained what is being requested, no concerns were raised.
- The site was zoned “PC” Planned Commercial District by the City in 2004 and then amended in 2005 to modify the hours of operation.
- A Site Development Plan was approved in 2005 and the site was developed in 2006.
- In 2011, the “PC” Planned Commercial District was amended to add *Office, dental* use.

- The Petitioner is requesting the following Permitted Uses (*item f. is the only new use being requested*):
 - a. Associated work and storage areas required by a business, firm, or service to carry on business operations.
 - b. Barber shops and beauty parlors.
 - c. Bookstores.
 - d. Financial institutions.
 - e. Offices, dental.
 - f. *Offices, medical – excluding Urgent Care Facilities and other similar type facilities.*
 - g. Offices, or office buildings.
 - h. Restaurants, sit down.
 - i. Stores, shops, markets, service facilities and automatic vending machines in which goods or services of any kind, including indoor sale of motor vehicles, are offered for sale or hire to the general public.
- The City's Comprehensive Land Use Plan designates the site as *Urban Core*, which allows for high-density residential, office, and retail uses.
- Staff has no issues at this time.

PETITIONER'S PRESENTATION:

Mr. Mike Doster, Attorney for the Petitioner, 16090 Swingley Ridge Road, Chesterfield, MO stated the following:

- They are only requesting the addition of the *medical office* use to the site specific ordinance. They are not asking for any change to the hours of operation.
- Because of the restricted hours of operation, an *urgent care facility* would not want to locate to the site; however, the Petitioner accepts the proposed language to the ordinance prohibiting *urgent care facilities*.
- Because there are no outstanding issues, they request a vote this evening on the proposed amendment.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

No further issues were raised.

Commissioner Midgley read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Wuennenberg made a motion to approve the minutes of the **September 10, 2012 Planning Commission Meeting**. The motion was seconded by Commissioner Midgley and **passed** by a voice vote of 8 to 0.

VI. PUBLIC COMMENT

A. Monarch Center (P.Z. 24-2006 Time Extension)

Petitioner:

Mr. Mike Doster, Attorney representing the Petitioner, 16090 Swingley Ridge Road, Chesterfield, MO.

Mr. Doster stated that Mr. Bill Kirchoff is the owner of the subject property. They have asked for extensions in the past for the same reason they are requesting the current extension. The general market conditions have not been favorable for the past 5-6 years and they particularly have not been good in the subject area. Mr. Kirchoff has been working with a potential user for the west end of the subject site and they are doing what they can to move the site forward. They respectfully request approval of the two-year time extension.

B. Spirit Energy (P.Z. 04-2009 Time Extension)

Petitioner:

Mr. Bill Remis, Attorney representing Spirit Energy, 16090 Swingley Ridge Road, Chesterfield, MO.

Mr. Remis stated that the subject site is a difficult one with a lot of challenges. They are continuing their work to find users for the site and appreciate the City's help and patience in this process. They are working with the City on ideas to improve the look of the site. They request the Commission's vote on the requested two-year extension.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. **Chesterfield Airport Commerce Park (P.Z. 15-2009 Time Extension)**: A request for a one (1) year extension of time to commence construction for three properties totaling 10.546 acres zoned "PI" Planned Industrial District located at 17970 Chesterfield Airport Road, 609 Cepi Drive, and 17975 Edison Avenue.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of a one-year Time Extension for Chesterfield

Airport Commerce Park. The motion was seconded by Commissioner Lueking and **passed** by a voice vote of 8 to 0.

- B. Conway Point Office Building (P.Z. 47-2007 Time Extension):** A request for a two (2) year extension of time to submit a Site Development Plan for a 1.489 acre tract of land zoned “PC” Planned Commercial District located at the southwest corner of the intersection of Conway Road and Chesterfield Parkway.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of a two-year Time Extension for **Conway Point Office Building**. The motion was seconded by Commissioner Midgley.

Commissioner Lueking made a motion to amend the motion to an eighteen-month extension. Commissioner Nolan did not accept the amendment to her motion.

Commissioner Lueking then made a motion to amend the Time Extension from two years to eighteen months. The motion was seconded by Commissioner Wuennenberg then **failed** by a voice vote of 2 to 6. (*Commissioners Lueking and Wuennenberg voted for the amendment.*)

The vote on the original motion to approve a two-year time extension **passed** by a voice vote of 6 to 2. (*Commissioners Lueking and Wuennenberg voted “no”.*)

- C. Highland on Conway (P.Z. 15-2010 Time Extension):** A request for an eighteen (18) month extension of time to submit a Site Development Plan for a 5.2909 acre tract of land zoned “PC” Planned Commercial District located on the north side of US Highway 40/Interstate 64 east of its intersection with Chesterfield Parkway and west of its intersection with Timberlake Manor Parkway (Locator ID: 18R110745).

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of an eighteen-month Time Extension for **Highland on Conway**. The motion was seconded by Commissioner Lueking and **passed** by a voice vote of 8 to 0.

- D. Monarch Center (P.Z. 24-2006 Time Extension):** A request for a two (2) year extension of time to submit a Site Development Plan for a 10.14 acre tract of land zoned “PC” Planned Commercial District located north of Edison Avenue and east of Long Road.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of a two-year Time Extension for **Monarch Center**. The motion was seconded by Commissioner DeGroot.

Commissioner Lueking made a motion to amend the Time Extension from two years to eighteen months. The motion was seconded by Commissioner Wuennenberg then **failed** by a voice vote of 2 to 6. (*Commissioners Lueking and Wuennenberg voted for the amendment.*)

The vote on the original motion to approve a two-year time extension **passed** by a voice vote of 6 to 2. (*Commissioners Lueking and Wuennenberg voted “no”.*)

- E. **Spirit Energy (P.Z. 04-2009 Time Extension)**: A request for a two (2) year extension of time to submit a Site Development Plan for a 0.31 acre tract of land zoned “PC” Planned Commercial District located on the southwest corner of Olive Blvd. and Woods Mill Rd. (Locator 16Q330902).

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of a two-year Time Extension for **Spirit Energy**. The motion was seconded by Commissioner DeGroot.

Commissioner Lueking made a motion to amend the Time Extension from two years to eighteen months noting that she does not agree with extending time extensions for a longer period of time than what was originally granted. The motion was seconded by Commissioner Wuennenberg then **failed** by a voice vote of 2 to 6. (*Commissioners Lueking and Wuennenberg voted for the amendment.*)

The vote on the original motion to approve a two-year time extension **passed** by a voice vote of 6 to 2. (*Commissioners Lueking and Wuennenberg voted “no”.*)

VIII. OLD BUSINESS

- A. **P.Z. 12-2012 Chesterfield Oaks (Capitol Land)**: A request for an amendment to City of Chesterfield Ordinance 2643 to add the Office, medical land use in a “PC” Planned Commercial District of 6.494 acres in size and located on the east side of Clarkson Road south of its intersection of Chesterfield Parkway and north of its intersection with Baxter Road (19S420415).

Project Planner Purvi Patel stated that the Public Hearing was held earlier this evening, and as there are no outstanding issues, the project was put on the agenda for vote.

Commissioner Wuennenberg made a motion to approve P.Z. 12-2012 Chesterfield Oaks (Capitol Land). The motion was seconded by Commissioner Lueking.

Commissioner Lueking asked for confirmation that the approval includes the exclusion of *urgent care*. Ms. Nassif, Planning & Development Services Director clarified that the proposed language is for *medical office, excluding Urgent Care Facilities and other similar type facilities*.

Upon roll call, the vote was as follows:

Aye: Commissioner DeGroot, Commissioner Geckeler, Commissioner Lueking, Commissioner Midgley, Commissioner Nolan, Commissioner Proctor, Commissioner Wuennenberg, Chair Watson

Nay: None

The motion passed by a vote of 8 to 0.

IX. NEW BUSINESS

A. 2013 Planning Commission Meeting Schedule

Ms. Nassif presented the proposed 2013 Planning Commission Meeting Schedule noting that two meetings are scheduled on Wednesdays because City Hall is closed on the preceding Mondays for Memorial Day in May and Veterans Day in November.

Commissioner Lueking made a motion to approve the 2013 Planning Commission Meeting Schedule. The motion was seconded by Commissioner Wuennenberg and **passed** by a voice vote of 8 to 0.

B. Architectural Review Board – 2013 Liaison Schedule

It was noted that the Architectural Review Board 2013 Liaison Schedule would be prepared and distributed to the Planning Commission.

C. Chancellor's Certificate

Ms. Nassif informed the Commission that UMSL is offering a Chancellor's Certificate in planning and zoning through an eight-week training course for Planning Commissioners and City Council members. Ms. Nassif has the

pertinent information for anyone interested in attending any of the modules. She noted that she is teaching one of the courses – *Implementing Your Comprehensive Plan*

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:40 p.m.

Bruce DeGroot, Secretary