

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
OCTOBER 8, 2007**

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

I. PRESENT

ABSENT

Mr. David Banks
Mr. Fred Broemmer
Ms. Wendy Geckeler
Mr. G. Elliot Grissom
Ms. Lu Perantoni
Mr. Gene Schenberg
Mr. Michael Watson
Chairman Maurice L. Hirsch, Jr.

Mayor John Nations
City Attorney Rob Heggie
Mr. Mike Geisel, Director of Planning & Public Works
Ms. Susan Mueller, Principal Engineer
Ms. Aimee Nassif, Senior Planner
Ms. Mara Perry, Senior Planner
Mr. Charles Campo, Project Planner
Mr. Justin Wyse, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner Broemmer

III. PLEDGE OF ALLEGIANCE – All

Chair Hirsch acknowledged the attendance of Mayor John Nations; Councilmember Jane Durrell, Ward I; and Councilmember Lee Erickson, Ward IV.

IV. PUBLIC HEARINGS – Commissioner Watson read the “Opening Comments” for the Public Hearing.

- A. **P.Z. 42-2007 Spirit Valley Business Park II:** A request for a change of zoning from a “NU” Non-Urban District to a “PI” Planned Industrial District for an approximately 27.4 acre parcel of land located at 18730 Olive Street Road, south of Olive Street Road and west of Wardenburg. (17W420024)

STAFF PRESENTATION:

Project Planner Justin Wyse gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Wyse stated that the following Permitted Uses are being requested:

- (b) Animal hospitals, veterinary clinics, and kennels.
- (c) Animal slaughtering, meat packing, or rendering facilities.
- (e) Arenas and stadiums.
- (f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
- (h) Broadcasting studios for radio and television.
- (i) Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
- (j) Business, professional, and technical training schools.
- (k) Business service establishments.
- (l) Cafeterias for employees and guests only.
- (n) Churches shall be allowed on tracts of land of at least one acre in size.
- (q) Financial institutions.
- (u) Filling stations, including emergency towing and repair services.
- (v) Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor unlighted outdoor tennis courts (public or private).
- (w) Harbors, marinas, and docks for water borne vehicles, including storage and charter of boats, on land or in the water, repair facilities for boats, and sale of fuel and other supplies for marine use.
- (x) Highway Department garages.
- (y) Hotels and motels.
- (bb) Laundries and dry cleaning plants, not including personal and individual drop-off and pick-up service.
- (cc) 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.
- (dd) Mail order sale warehouses.
- (ee) Manufacturing, fabrication and processing of flammable gases, liquids, and explosives.

- (gg) Medical and dental offices.
- (ii) Office or office buildings.
- (ll) 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.
- (mm) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- (nn) Police, fire, and postal stations.
- (oo) Printing and duplicating services.
- (pp) Public utility facilities.
- (tt) Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters.
- (uu) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- (vv) Restaurants, fast food.
- (ww) Restaurant, sit down.
- (xx) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
- (yy) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture.
- (zz) Sales yards operated for a charitable purpose by a church, school, or other not-for-profit organization.
- (ccc) Service facilities, studios, or work areas for antique salespersons, artist, candy makers, craftpersons, 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.
- (eee) Permitted signs (See Section 1003.168 "Sign Regulations")
- (ggg) Storage and repair garages for public mass transit vehicles.
- (hhh) Storage yards for lumber, coal, and construction materials.
- (iii) 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.
- (nnn) Union halls and hiring halls.
- (ooo) Vehicle repair facilities.
- (ppp) Vehicle service centers.
- (qqq) Vehicle washing facilities.
- (sss) Welding, sheet metal, and blacksmith shops.

- (ttt) Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

Ancillary Uses:

- (g) Automatic vending facilities for:
 - i. Ice and solid carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections.

Mr. Wyse then stated the following:

- All Public Hearing notification requirements were followed.
- The Comprehensive Land Use Plan calls for the area to be "Low-Intensity Industrial" and is located in Sub Area 1 of the Chesterfield Master Plan.
- Items Under Review by Staff:
 - Proposed permitted uses – Staff is currently working with the Petitioner in attempt to have the uses match the uses in Spirit Valley Business Park.
 - Adherence to the Tree Manual
 - Pedestrian and vehicular access/circulation
 - Building location
 - Open space
 - Additional buffering along the residential property

PETITIONER'S PRESENTATION:

1. Mr. Mike Doster, Attorney for the Developer – Spirit Valley Development, LLC, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
 - Spirit Valley Phase I is zoned "PI" Planned Industrial. The Phase I project comprises 52.89 acres.
 - Spirit Valley Phase II will complete the entire development. Under Phase II, the loop road will be completed.
 - Phase II is simply an extension of Phase I.
 - It is their intent that the uses for Spirit Valley II be identical to the uses requested in Spirit Valley I. They are currently working with Staff on this issue.
 - Both Phases I and II are "Industrial – Low Intensity" and comply with the City's Comprehensive Plan.
 - Both Phases I and II will have the same open space requirements of a minimum of 30%.
 - There are seven lots in Phase II; there are seventeen lots in Phase I. The lot sizes range from approximately 2.5 to 7 acres.
 - Vermeer is planning to move to the Phase I development.

Responding to questions from the Commission, Mr. Doster replied as follows:

- **Regarding cross access to the east and west:** Cross access to the east was not specified under the Phase I development. There will be access to Olive north of the Phase I plan. There will not be any access to the west since the City's reservoir is just west of the site.

- **Regarding plans for Wardenburg Road:** Mr. Geisel stated that presently there are no plans to improve Wardenburg Road. From Wings Corporate Estates, there is a road that comes in off of Eatherton Road which travels east into the Airport – there are plans to extend this road. There is no north/south roadway planned at this time other than the two cul-de-sacs planned for the Airport.
3. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

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

- **Regarding access to Old Olive:** There will be three entrances onto Old Olive.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Compatibility of uses between Spirit I and Spirit II.
2. Adherence to the Tree Manual
3. Pedestrian and vehicular access/circulation
4. Building location
5. Open space
6. Additional buffering along the residential property

Commissioner Watson read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the September 24, 2007 Planning Commission Meeting. The motion was seconded by Commissioner Schenberg and passed by a voice vote of 6 to 0 with 2 abstentions from Commissioners Banks and Broemmer, who were not in attendance at the September 24th meeting.

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. Forest Lake Tennis Club (1012 North Woods Mill Road):** A Partially Amended Landscape Plan for a 6.14 acre tract of land zoned "C-8" Planned Commercial District, located north of Ladue Road and south of Olive Boulevard.

Commissioner Broemmer, representing the Site Plan Committee, made a motion to approve the Partially Amended Landscape Plan with the amendment that the height of the trees be increased from 3.5-4 feet to 4.5-5 feet. The motion was seconded by Commissioner Schenberg and passed by a voice vote of 8 to 0.

- B. Spirit Town Center:** A Site Development Concept Plan and Conceptual Landscape Plan for a 7.8 acre tract of land zoned "PC" Planned Commercial District located on the southwest corner of the intersection of Goddard and Chesterfield Airport Road.

Commissioner Broemmer, representing the Site Plan Committee, made a motion to approve the Site Development Concept Plan and Conceptual Landscape Plan subject to the disposition of Tree No. 68 being left to the judgment of Staff. The motion was seconded by Commissioner Banks and passed by a voice vote of 8 to 0.

- C. Spirit Valley Business Park:** A Site Development Concept Plan, Tree Stand Delineation, and Conceptual Landscape Plan for a 52.82 acre tract of land zoned "PI" Planned Industrial District, located south of Olive Street Road and east of Wardenburg.

Commissioner Broemmer, representing the Site Plan Committee, made a motion to approve the Site Development Concept Plan, Tree Stand Delineation, and Conceptual Landscape Plan as presented. The motion was seconded by Commissioner Banks and passed by a voice vote of 8 to 0.

- D. Trails West Lot 270A:** An Amended Site Development Concept Plan for a 3.6 acre tract of land zoned "C-8" Planned Commercial District, located at the southeast corner of Ladue Road and Greentrails Drive.

Commissioner Broemmer, representing the Site Plan Committee, made a motion to approve the Amended Site Development Concept Plan as presented. The motion was seconded by Commissioner Schenberg and passed by a voice vote of 8 to 0.

- E. **115 Ridge Crest Drive:** Residential addition in the form of a detached garage on the west side of a property zoned "R1" Residence District located at 115 Ridge Crest Drive in the River Bend Estates Subdivision.

Commissioner Broemmer, representing the Site Plan Committee, made a motion to approve the Residential Addition as presented. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 8 to 0.**

- F. **14809 Brookhaven Place:** A residential addition to the south side of an existing home zoned "R1A" Residence District located at 14809 Brookhaven Place in the Brookhaven Place Subdivision.

Commissioner Broemmer, representing the Site Plan Committee, made a motion to approve the Residential Addition as presented. The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 8 to 0.**

VIII. OLD BUSINESS

- A. **P.Z. 24-2007 Mark Andy Inc. (18081 Chesterfield Airport Rd.):** A request for a change of zoning from "M-3" Planned Industrial District to "PI" Planned Industrial District for a 23-acre tract of land located on the north side of Chesterfield Airport Road, one half mile west of the corner of Long Road and Chesterfield Airport Road. (17V510016)

Chair Hirsch announced that the Petitioner has requested that this petition be held.

Commissioner Broemmer made a motion to hold P.Z. 24-2007 Mark Andy Inc. (18081 Chesterfield Airport Rd.) until the next meeting of the Planning Commission. The motion was seconded by Commissioner Grissom and **passed by a voice vote of 8 to 0.**

- B. P.Z. 32-2007 MPD Investments, LLC (17481 and 17485 North Outer 40 Road):** A request for a change of zoning from “C-8” Planned Commercial District to “PI” Planned Industrial District for an 8.3 acre tract of land located north of North Outer 40 west of Boone’s Crossing (17U520148 & 17U520159).

Ms. Mara Perry, Senior Planner, stated that at the September 24th meeting, two outstanding issues were identified:

1. Amendments to uses: All the amendments to the uses raised at the last meeting have been integrated into the Attachment A.
2. Storm water improvements: The agreed-to language relative to storm water improvements has been integrated into the Attachment A.

Commissioner Perantoni noted that, along with the vote for the rezoning, the Commission would be voting on the 31% open space requirements for the site vs. 50% open space.

Ms. Perry stated that a 50% open space is required in certain sub areas of the Valley prior to any improvements being made – such as providing sanitary sewers vs. being on septic tanks. Many of the sub areas allow for a reduction to 30% open space once improvements have been made.

Commissioner Perantoni stated that there is an allowance for a reduction in open space, but noted that it is not automatically reduced once the sewers are extended.

Commissioner Geckeler pointed out that additional land is needed for septic tank fields but once the fields are abandoned, the extra land is not necessary.

Because the open space requirement has been reduced, Commissioner Broemmer asked if this implies that the utilities are in place. Ms. Perry replied that the utilities are in for the subject site. She also pointed out that the adjacent property to the east is at 31% open space.

Commissioner Broemmer stated that 50% open space is required before utilities are available. Once utilities are in place, it is acceptable to have 30% open space.

Commissioner Schenberg made a motion to approve P.Z. 32-2007 MPD Investments, LLC (17481 and 17485 North Outer 40 Road). The motion was seconded by Commissioner Watson.

Commissioner Perantoni stated that because there are three access points on the site, and because there is an open space requirement of 31%, she will be

voting against the petition. She noted that she would be agreeable to the reduction in open space if the number of access points was reduced.

Upon roll call, the vote was as follows:

**Aye: Commissioner Broemmer, Commissioner Geckeler,
Commissioner Grissom, Commissioner Schenberg,
Commissioner Watson, Commissioner Banks,
Chairman Hirsch**

Nay: Commissioner Perantoni,

The motion passed by a vote of 7 to 1.

For clarification purposes, Mr. Geisel pointed out that there is only one new curb cut being granted for the subject property. There is one access being shared by Lynch Hummer to the east, and one that is being shared by the property to the west.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:26 p.m.

Gene Schenberg, Secretary