

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
SEPTEMBER 26, 2005**

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

I. PRESENT

Mr. David G. Asmus
Mr. David Banks
Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Ms. Lu Perantoni
Mr. Thomas Sandifer
Ms. Victoria Sherman
Chairman Stephanie Macaluso

ABSENT

Dr. Lynn O'Connor

Councilmember Mike Casey, Council Liaison
City Attorney Doug Beach
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill-Clay, Assistant Director of Planning
Ms. Aimee Nassif, Project Planner
Ms. Christine Smith-Ross, Project Planner
Ms. Mary Ann Madden, Planning Assistant

Chair Macaluso acknowledged the attendance of Mr. Mike Herring, City Administrator; Councilmember Mike Casey, Council Liaison; and Councilmember Connie Fults, Ward IV.

II. INVOCATION: Commissioner Asmus

III. PLEDGE OF ALLEGIANCE - All

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

- A. P.Z. 22-2005 Wings Corporate Estates:** A request for rezoning from “NU” Non-Urban to “PI” Planned Industrial District for 3 parcels totaling 36.6 acres, located on the east side of Eatherton Road, south of Olive Street Road and on the north side of Wardenburg Road (LOCATOR NUMBERS 18W-43-0057, 18W-44-0067, 18W-53-0025)

Proposed Uses:

- (a) Airports, landing strips, and heliports.
- (b) Animal hospitals, veterinary clinics, ~~and kennels~~.
- (g) Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
- (j) Business, professional, and technical training schools.
- (k) Business service establishments.
- (l) Cafeterias for employees and guests only.
- (m) Child care centers, nursery schools, and day nurseries.
- (q) Financial institutions.
- (v) Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor and unlighted outdoor tennis courts (public or private).
- (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 areaAll 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.
- (dd) Mail order sale warehouses.
- (ff) Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - (i) Facilities producing or processing explosives or flammable gases or liquids;
 - (ii) Facilities for animal slaughtering, meat packing, or rendering;
 - (iii) Sulphur plants, rubber reclamation plants, or cement plants; and
 - (iv) Steel mills, foundries, or smelters.
- (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.
- (qq) Radio, television, and communication studios, transmitting or relay towers, antennae, and other such facilities no greater in height than two hundred (200) feet above the average ground elevation at the perimeter of such structure.
- (rr) Radio, television, and communication studios, transmitting or relay towers, antennae, or other such facilities greater in height than two hundred (200) feet above the average finished ground elevation at the perimeter of such structure.
- (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.
- (ccc) Service facilities, studios, or work areas for antique salespersons, artists, 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.
- (kkk) Terminals for buses and other public mass transit vehicles.
- (nnn) Union halls and hiring halls.
- (ooo) Vehicle repair facilities.
- (ppp) Vehicle service centers.
- (rrr) Warehousing, storage, or wholesaling of manufactured commodities, ~~live animals, explosives, or flammable gases and liquids.~~
- (sss) Welding, sheet metal, and blacksmith shops.
- (ttt) Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

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

- The petitioner has requested that three Non-Urban parcels be rezoned to Planned Industrial to accommodate an office/industrial complex consisting of 21 lots covering 36.6 acres.
- Spirit of St. Louis Airport has requested that the following uses be removed:
 - Airports, landing strips, and heliports.
 - Child care centers, nursery schools, and day nurseries.
- The petitioner has removed the above uses from the requested list of uses.

PETITIONER'S PRESENTATION:

1. Mr. Mike Doster, attorney for the Petitioner, 17107 Chesterfield Airport Road, Ste, 300, Chesterfield, MO gave a PowerPoint Presentation and stated the following:
 - The development team consists of Mr. Doster of Doster, Mickes, James, Ullom, Benson & Guest; Mr. Ed Holthaus of Ed Holthaus Realty; and Steve Quigley of Clayton Engineering.
 - The petition is seeking to rezone the subject property from Non-Urban to Planned Industrial for 3 parcels totaling 36.6 acres.
 - There are two petitioners – D. F. Adams & Associates, Inc and Carmelo J. Natoli.
 - The Natoli property consists of Lots 20 & 21.
 - The proposed development consists of 22 lots. Lots 1-21 are the subject of the rezoning request. Lot 22 is Precision Properties, which was previously rezoned to Planned Industrial pursuant to City of Chesterfield Ordinance 2066.
 - An easement has been preserved for a monument sign, which would be for the entire project.
 - The average lot size is 1.66 acres. The range is from 1.24 acres to 3.15 acres.
 - The water line has already been installed. It had to be installed for Precision's development. The water line will be constructed in two phases. Phase I services Precision Properties.
 - The water line agreement between St. Louis County and Adams & Associates contemplates another agreement – a Master Agreement. The Master Agreement will deal with storm water drainage, other infrastructure that will allocate cost between the County and the proposed development, along with other developments.
 - The sewer that will service the proposed development is dependent upon the west end improvements. Precision Properties is currently on septic.
 - In terms of open space, Precision Properties must maintain a 50% open space as long as it is on septic. Under the ordinance that governs Precision Properties, open space is reduced to 30% minimum when public sewer is available. They are requesting that this same standard be applied to the proposed project as a whole – 30% open space over the entire tract.

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

- The Airport has not indicated any issues with uses (qq) and (rr) relating to 200' high antennae.
- They have an agreement with Precision Properties whereby Precision has agreed to become a part of the proposed development. The development, including Precision's Lot 22, would be re-platted to show 22 lots instead of 21. There would be a common indenture covering all 22 lots. City Attorney Beach stated that the re-platting would have to precede signage as a procedural step.

2. Mr. Ed Holthaus, Ed Holthaus Realty, representing D. F. Adams & Associates and Carmelo Natoli, 18102-A Chesterfield Airport Road, Chesterfield, MO stated the following:

- Wings Corporate Estates will be an office and office warehouse park similar to Spirit Trade Center. It will be a high-quality park with restrictions.
- Lots 3 and 6 are under contract at this time pending zoning approval.
- There are no plans to ask for any septic tanks. Lots will not be occupied until the sewer system is in place.
- The entrance road is in place and was built both to the City's and County's standards.

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

- They hope to have public streets maintained by St. Louis County. The County owns a 9-acre parcel below Lots 17 and 18, as well as 45 acres next to Lots 8, 9, and 21. The County is planning to remove the two cul-de-sacs and run the road through their 45 acres to serve their property. The roads that service the Airport are County-maintained.

3. Mr. Steve Quigley, Clayton Engineering, 11920 Westline Industrial Drive, St. Louis, MO stated he was available for any engineering questions.

ISSUES:

1. Green space/open space for the entire 22 lots vs. lot-by-lot.
2. Review uses (qq) and (rr) regarding relay towers in terms of safety.
3. Review uses (kkk), (ooo), (ppp), and (ttt).
4. Signage issue – at the present time, the sign is being shown as off-site.
5. Provide the permitted uses for Spirit Trade Center.
6. Provide the ordinance relating to open space percentage with respect to septic vs. storm sewer.
7. Provide information on the timeframe and scope of road improvements of Eatherton Road – coming from Olive Street Boulevard (Rohmbach's area) or coming from 109 down Eatherton.
8. Provide the permitted uses for Precision Properties.

Commissioner Perantoni read the Closing Comments for Public Hearing **P.Z. 22-2005 Wings Corporate Estates** noting the earliest possible date the Planning Commission could vote on the subject petition would be October 24, 2005.

V. APPROVAL OF MEETING MINUTES

Commissioner Hirsch made a motion to approve the minutes of the September 12, 2005 Planning Commission Meeting as corrected below:

Page 15: "On behalf of the Site Plan Committee, Commissioner Hirsch Asmus made a motion to suspend the rules to amend the Agenda to review Items VII.E. and VII.F. first relating to Justus Pointe.

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

VI. PUBLIC COMMENT

1. Mr. Jim Burke, Suite 200, 20 Allen Avenue, St. Louis, MO 63119 speaking **as the petitioner** for **Holiday Inn (Lot 7 of Chesterfield Commons Six)** stated he was available for any questions.
2. Mr. Greg Helton, 205 Williamsburg Drive, Bloomington, IL speaking **as the petitioner** for **Holiday Inn (Lot 7 of Chesterfield Commons Six)** stated the following:
 - He has done calculations regarding the square footage of the signage vs. the actual building square footage. On the two short sides of the building, the signage is 1.5% of the façade; on the two long sides of the building, the signage is .5% of the façade.
 - He is requesting that signage be allowed on all four sides of the cupola.
3. Mr. Harvey Keymer 14015-14167 Olive Blvd., St. Louis, MO speaking **in favor of Briarcliffe Villas** stated the following:
 - He is in favor of the project but has concerns about the traffic at the intersection of Hog Hollow Road and Olive during rush hour times.

City Attorney Beach stated that the City has been reviewing the improvement of Hog Hollow Road at the subject location. This particular location is the major connection of the Water Company from the Valley to the portion of St. Louis County that is on top of the hills. The City is working with the Water Company to try and find a solution.

4. Mr. Brett Hardesty, 232 Chesterfield Industrial Blvd., Chesterfield, MO speaking **as the petitioner** for **Briarcliffe Villas** stated the following:
 - Regarding the density of the site, they feel that 82 units are important for their ability to deliver a solution for this site.
 - With respect to the suggestion of deleting 6 units, the zoning ordinance for an R2 PEU calls for 10,000 sq. ft. minimum lot sizes. If a 10,000 sq. ft. minimum lot size was overlaid on the subject development, the unit count would be below 60 – not the suggested 76 units.
 - The Absorption Analysis shows that deleting 6 units would result in the loss of \$3.5 million in potential sales volume. It also shows an absorption time of one year longer with a \$25,000/unit increase in the purchase price of the homes. This one year extension equates to \$.5 million in interest.

- They are requesting an R3 PEU. They have not had anyone in the audience objecting to an R3 PEU.
5. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO speaking **as the petitioner** for **Briarcliffe Villas** stated he was available for any questions.
 6. Mr. Mike Doster, 17107 Chesterfield Airport Road, Ste. 300, Chesterfield, MO speaking **as the petitioner** for **Briarcliffe Villas** stated he was available for any questions.
 7. Mr. Brian Calsyn, President and Trustee of Eagle Ridge Homeowners Association, 545 Eagle Manor Lane, Chesterfield, MO speaking **in favor of Briarcliffe Villas** stated the following:
 - They have met with Mr. Hardesty of Hardesty Homes and have asked him to commit to a specific landscaping plan which would include a non-penetrable space next to the fire gate on the proposed property. Mr. Hardesty has agreed to include this in the development.
 - Mr. Hardesty has assured them that he will do everything possible to save the large trees along the eastern border of the development.
 - Mr. Hardesty has been very responsive to their requests and they believe he will do a good job with the development.

Mr. Calsyn provided the Department with a copy of the landscape bid.
 8. Mr. Terry Barnes, Koman Properties, 8027 Forsyth, St. Louis, MO speaking with respect to the signage for **Walgreen's at Long & Airport Road** stated the following:
 - Staff has advised that one of the proposed signs needs to be presented to the Planning Commission because LED lights are being used as its light source.
 - Speaker read the following from the Light Ordinance:

"All accent lighting, including LEDs and lighting used for signage, shall be subject to the approval of the City of Chesterfield."
 - Speaker felt that Staff had the authority to approve the lighting request since the LED being requested is not for accent lighting. He asked that the Planning Department be given guidance on this issue so that his project could go forward.
 - LED is being used because it doubles the life of the light and it has an energy savings of 1,000 watts of power for LED vs. 13,000 watts.

Mr. Barnes was informed that this type of lighting (LED) would have to be reviewed by the Site Plan Committee and Planning Commission. It will be placed on the agendas for the two meetings of October 10, 2005.

Ms. Teresa Price, Director of Planning, stated that when the Light Ordinance was written, LED was being used as accent lighting, which requires Planning Commission approval. Now LED is being used for purposes other than accent lighting. After further discussion, it was agreed that the issue of LED as a lighting source would be reviewed by the Ordinance Review Committee.

9. Mr. Don Bowers, 17531 & 17525 Wild Horse Creek Road and 323 Lake View, Washington, MO stated the following:

- His family owns 5 acres along the bowtie – the “knot” of the bowtie is on their property.
- They have built a house and have put it up for sale. The current moratorium on the bowtie area has affected the sale of their 5-acre property.
- They have re-surveyed and will try to sell the house while the moratorium is in place.
- Speaker requested that the moratorium be moved along as quickly as possible.
- In the area of his property, the noise is very high.
- If Office Campus is eliminated, Speaker suggested a Mixed Use for the area. He felt attached housing is easily sound-proofed as opposed to single-family residences.
- Speaker distributed to the Planning Commission copies of a letter from himself, which will be made a part of the public record.

Chair Macaluso pointed out the moratorium was voted in by City Council.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **Baxter Crossing, Lot 5:** A Partial Amended Site Development Concept Plan, Conceptual Landscape Plan and Lighting Plan in an “R2/R5/R8” Planned Environment Unit (PEU) located south of Baxter Road, north of Wilson Road.

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

- B. **Holiday Inn (Lot 7 of Chesterfield Commons Six) :** A Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations for a 2.8-acre parcel located north of Chesterfield Airport Road, west of its intersection with McBride & Sons Corporate Center.

Commissioner Hirsch, representing the Site Plan Committee, made a motion to accept the Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations with the condition that there be more trees along U.S. 40 to screen the building and parking with the trees to be determined in consultation between the Petitioner and the Department; and with the suggestion to the Petitioner of using a larger caliper tree than that presented. The motion was seconded by Commissioner Banks.

City Attorney Beach advised that “suggesting the use of larger caliper trees” is not enforceable.

Commissioner Hirsch amended the motion to accept the Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations with the condition that there be more trees along U.S. 40 to screen the building and parking with the trees to be determined in consultation between the Petitioner and the Department. Commissioner Banks accepted the amended motion, which **passed** by a voice vote of 8 to 0.

- C. **Chesterfield Commons Six, Amended Sign Package:** An amended Sign Package for a C-8 Planned Commercial development, located north of Chesterfield Airport Road, west of its intersection with McBride & Sons Corporate Center. The proposed amendment is for signage for Lot 7 (Holiday Inn).

Commissioner Hirsch, representing the Site Plan Committee, made a motion to accept the Amended Sign Package with the elimination of the building sign on the north end of the building (at the Petitioner’s request); and limiting the cupola signs to the east and west fascia only of the cupola and not on the north and south fascia. The motion was seconded by Commissioner Broemmer and **passed** by a voice vote of 8 to 0.

- D. **Chesterfield Oaks (Capitol Land)** - A Sign Package for a 7.4-acre parcel zoned "PC" Planned Commercial, located east of Clarkson Road, south of its intersection with Chesterfield Parkway East.

Commissioner Hirsch, representing the Site Plan Committee, made a motion to accept the Sign Package with the provision that the background panels shown on various brick fascia for signs shall match the St. Louis Bread Company background panel in color. The motion was seconded by Commissioner Asmus and **passed** by a voice vote of 6 to 2. (Commissioners Broemmer and Sandifer voted “no”.)

VIII. OLD BUSINESS

- A. **P.Z. 2-2005 Briarcliffe Villas (GHH Investment, LLC):** A request for a change of zoning from “R-2” Residence District to “R-3” Residence District for two (2) tracts of land totaling 29.4 acres located on Olive Boulevard, in the property formerly known as Chesterfield Grove Nursing Home. (16R340151, 16R340207)

and

- B. P.Z. 3-2005 Briarcliffe Villas (GHH Investments, LLC):** A request for a Planned Environment Unit (PEU) Procedure within an “R-3” Residence District for two (2) tracts of land totaling 29.4 acres located on Olive Boulevard, in the property formerly known as Chesterfield Grove Nursing Home. (16R340151, 16R340207)

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, stated the following:

- Public Hearings were held for these petitions on March 14 and June 27, 2005.
- There were no speakers in favor of or in opposition to the petitions at either of these meetings. There were neutral parties who spoke at these public hearings.

Chair Macaluso made a motion to approve P.Z. 2-2005 Briarcliffe Villas (GHH Investment, LLC). The motion was seconded by Commissioner Sherman.

It was clarified that P.Z. 2-2005 establishes the R3 zoning and P.Z. 3-2005 establishes the PEU, which allows a certain density, a certain lot size, the setbacks for the development, the number of units, etc.

It was noted that if the zoning remained at R2, then the development would be limited to a particular number of units from a density standpoint. Further, if rezoned to R3, it would be possible to have the density of an R2.

Commissioner Asmus noted the developer’s willingness to review the suggestions from the Planning Commission during the entire process. He further noted that the neighbors and business owners have given their support of the petition.. Commissioner Asmus felt the petition is good, sound and, within reason, safe planning.

Commissioner Broemmer stated he would like to see the development take place but expressed concern about changing the zoning from R2 to R3.

Commissioner Sherman stated she is in favor of the project but has concerns about the possibility of it going forward as an R3 without the PEU. She stated that if the PEU failed, she would make a motion to reconsider the first motion to rezone.

Upon roll call, the vote was as follows:

**Aye: Commissioner Hirsch, Commissioner Sandifer,
Commissioner Sherman, Commissioner Asmus,
Chairman Macaluso**

**Nay: Commissioner Banks, Commissioner Broemmer,
Commissioner Perantoni**

The motion passed by a vote of 5 to 3.

Commissioner Sherman made a motion to approve P.Z. 3-2005 Briarcliffe Villas (GHH Investment, LLC). The motion was seconded by Commissioner Hirsch.

Upon roll call, the vote was as follows:

**Aye: Commissioner Broemmer, Commissioner Hirsch,
Commissioner Sandifer, Commissioner Sherman,
Commissioner Asmus, Chairman Macaluso**

Nay: Commissioner Perantoni, Commissioner Banks

The motion passed by a vote of 6 to 2.

C. P.Z. 16-2005 City of Chesterfield (Landmark and Preservation Area Procedure): A request to amend Section 1003.191 of the Zoning Ordinance to include incentives and to allow for new criteria.

Project Planner Aimee Nassif stated the following:

- Public Hearing was held on August 22, 2005.
- All issues have been addressed.

Commissioner Perantoni made a motion to approve P.Z. 16-2005 City of Chesterfield (Landmark and Preservation Area Procedure). The motion was seconded by Chair Macaluso.

Upon roll call, the vote was as follows:

**Aye: Commissioner Hirsch, Commissioner Perantoni,
Commissioner Sandifer, Commissioner Sherman,
Commissioner Asmus, Commissioner Banks,
Commissioner Broemmer, Chairman Macaluso**

Nay: None

The motion passed by a vote of 8 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS:

A. Committee of the Whole – Next Meeting: Sept. 29, 2005, 5:00 p.m.

B. Ordinance Review Committee – Next Meeting: Sept. 28, 2005, 8:00 a.m.

It was noted that it was too late to get the issue of LED lighting on the Sept. 28th agenda.

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 8:20 p.m.

Lynn O'Connor, Secretary