

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
SEPTEMBER 9, 2019**

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

I. ROLL CALL

PRESENT

Commissioner John Marino
Commissioner Debbie Midgley
Commissioner James Rosenauer
Commissioner Gene Schenberg
Commissioner Jane Staniforth
Commissioner Guy Tilman
Commissioner Steven Wuennenberg
Chair Merrell Hansen

ABSENT

Commissioner Allison Harris

Councilmember Mary Ann Mastorakos, Council Liaison
Mr. Michael Lindgren, representing City Attorney Christopher Graville
Mr. Justin Wyse, Director of Planning & Development Services
Mr. Andrew Stanislav, Planner
Mr. Chris Dietz, Planner
Ms. Annisa Kumerow, Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Hansen acknowledged the attendance of Councilmember Mary Ann Mastorakos, Council Liaison; Councilmember Barb McGuinness; Ward I; Councilmember Mary Monachella, Ward I; Councilmember Dan Hurt, Ward III; Councilmember Michael Moore, Ward III; Councilmember Tom DeCampi, Ward IV; and Councilmember Michelle Ohley, Ward IV

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

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

- A. **P.Z. 10-2019 Downtown Chesterfield (Thompson Thrift Development, Inc.):** A request for a zoning map amendment from a “C-8” Planned Commercial District to a “UC” Urban Core District to permit residential dwelling units in addition to the existing permitted commercial uses for an 8.7 acre area of land located at the intersection of Chesterfield Parkway and Park Circle Drive and along the east side of Veterans Place Drive (18S110159, 18S110160, 18S130179, 18S130180, 18S130201, 18T340322, 18T340366).

STAFF PRESENTATION:

Planner Andrew Stanislav stated that the primary request is for a change of zoning from “C8” Planned Commercial to “UC” Urban Core in order to add residential uses to the existing permitted commercial uses. A maximum of 140 units is being requested, as well as modifications to the Urban Core setback requirements. All other requirements will be in compliance with the Unified Development Code. Mr. Stanislav then provided the following information about the petition:

Comprehensive Land Use Plan

Numerous Comprehensive Land Use Plan policies are applicable to this project focusing on development in the Urban Core area, diversity of development, mix of uses, and higher density development.

Site History

The subject site was originally part of the Chesterfield Village Development plan. This area was designated as the ‘Town Center’ on the Amended Final Development Plan, which was recorded in 1976. The permitted uses for this area match those of the regional shopping center, which includes the uses of the C1 through C7 Districts.

A development plan was approved for a ‘Central Park Square’ development, also known as Downtown Chesterfield, and was incorporated into the 2008 Downtown Plan. A 2nd Amended Concept Plan was also approved that year.

Approved Features for the Site

Permitted Uses	Height	Setbacks	Parking
Office (Lot 3): 148,200 SF	Office: 6 Stories	Chesterfield Parkway: 15 ft.	737 spaces
Retail (Lots 4 & 7): 11,200 SF	Retail 1 Story	Veterans Place Drive: 15 ft.	
Restaurant (Lots 5 & 6): 14,600 SF	Restaurant: 1 Story	Internal Roads: 4 ft.	

“UC” Urban Core District Requirements

Permitted Uses	Requirements
Permitted or conditional uses in any commercial or residential zoning district	Minimum Lot Area: 3 Acres
Limited “PC” light industrial type uses are not permitted	Maximum FAR: 0.55
	Maximum Height: 8 stories
	Minimum Open Space: 30%
	Setbacks: Structure: 35 ft. from ‘UC’ boundary Parking: 30 ft. from ‘UC’ boundary

There are also 11 design features include in the Unified Development Code that are not mandatory, but are encouraged when requesting flexibility to other requirements in an Urban Core District.

Requested Uses

The Petitioner is requesting to add three residential uses to the existing permitted commercial uses on the property, for a total of 58 uses. The three new uses are: 1) *Dwellings, multifamily*; 2) *Dwellings, single-family attached*; and 3) *Home Occupation*. It was noted that the list of permitted uses was modeled off of two “UC” District ordinances approved in 2015 and 2018.

Preliminary Development Plan

While the Preliminary Development Plan depicts 111 total units on the site, a maximum of 140 units is being requested to allow the developer flexibility to further design the site and to offer different products with the development.

- A mix of housing types and uses is being proposed to include: townhomes, duplexes, live/work units, and retail/clubhouse uses.
- A maximum height of three stories is requested for the development.
- Portions of Main Circle Drive and Park Circle Drive within the site are proposed as private streets.

Requested Modifications

The following table outlines modifications to the structure and parking setbacks being requested compared to what is currently approved and the Urban Core requirements. It was noted that any request for modification requires a 2/3 approval vote from the Planning Commission.

SETBACKS	URBAN CORE REQUIREMENTS	CURRENTLY APPROVED SETBACKS	PROPOSED SETBACKS
Structure	35 ft. from ‘UC’ boundary	Chesterfield Parkway: 15 ft.	Chesterfield Parkway: 10 ft.
		Veterans Place Drive: 15 ft.	Veterans Place Drive: 2 ft.
		Internal Roads: 4 ft.	Internal Roads: 5 ft.
Parking	30 ft. from ‘UC’ boundary	Chesterfield Parkway: 15 ft.	0 feet from ‘UC’ boundary
		Veterans Place Drive: 10 ft.	0 feet from Internal Roads
		Internal Roads: 4 ft.	

Mr. Stanislav then reported that the Department received an email earlier today from the adjacent property owner, which indicates they are in favor of the petition, but have some concern as it relates to access to their property. A copy of the email has been provided to the Commission.

DISCUSSION

Landscape Buffers

Commissioner Wuennenberg asked for clarification on whether landscape buffers are required with a residential use within the Urban Core District. Mr. Stanislav replied that landscape buffers would be as required through the tree preservation and landscaping requirements of the Unified Development Code; buffers are not specific to the Urban Core designation.

Private Streets

Commissioner Staniforth questioned whether public access would be permitted through the private streets. Mr. Stanislav explained that the privatization pertains to the construction and maintenance of the roads within the development; the ordinance would require public access to the streets. It was also noted that some vacation of right of way

will be necessary in order for the developer to remove the existing round-about of Park Circle Drive.

PETITIONER'S PRESENTATION:

1. Mr. Jose Kruetz, Managing Partner of a division of Thompson Thrift Development, Inc. 111 Monument Circle, Indianapolis, IN.

Mr. Kruetz stated that their proposal is for a horizontally mixed-use neighborhood that will consist of four different uses. Their intent is to provide a “cohesive architecture of the highest quality, which meets a demand for housing that does not currently exist sufficiently within the City of Chesterfield”. The general demographics targeted for the proposed housing are Generation X and Baby Boomers, who are looking to move in or stay in the Chesterfield area at a more affordable price than a single-family home.

Mr. Kruetz stated that they feel their vision meets both the City’s land use plan and a number of plan policies. They are interested in receiving the Commission’s and public’s input on their proposal, and they are prepared to “have the necessary conversations to make the project better”.

2. Mr. Mike Doster, Land Use Attorney on the development team, 16090 Swingley Ridge Road, Chesterfield, MO.

Mr. Doster stated that the Urban Core zoning is requested because it allows both residential and commercial uses. He also pointed out that the existing permitted commercial uses are included in the petition. He explained that these are vested uses which the developer wants to retain until closing on the property occurs, which generally happens after the zoning legislation is adopted. He noted that the petitioner does not intend to make use of all of these commercial uses.

All of the streets shown on the 2nd Amended Site Development Concept Plan have been dedicated to the City, making them all public. The petitioner is seeking to vacate the streets as public and to make them private. The owner of the existing on-site building has indicated support of the petition subject to working out access issues, which the petitioner is confident can be resolved.

With respect to density, the Comprehensive Plan allows for 140 units on the subject site. The current plan shows 111 units but since the plan may be re-designed, there could be an increase in the number of units. Developers of town centers/downtowns have determined that in order to sustain a downtown/town center, residential density is needed.

3. Ms. Kate Stock Gitto, Civil Engineer, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO.

Ms. Stock-Gitto stated that the subject site is comprised of seven properties, 8.711 acres in size, zoned “C-8” Planned Commercial District located on Main Circle Drive and Park Circle Drive. The site currently drains all to the north with the low point being on the southwest side and high point being on the southeast side.

The proposal would necessitate some vacation of existing right-of-way, removal of the round-about, and relocation of any existing utilities which are in conflict with the proposal.

The Preliminary Plan shows five proposed buildings to include 24 three-bedroom duplexes, 27 two-bedroom duplexes, 53 three-bedroom townhomes, 2 retail/clubhouse uses, and 6 live/work units. The proposed plan indicates a private street network with sidewalks and walkways meandering throughout and connecting to Veterans Place Drive and Chesterfield Parkway. Access will be provided to the HKS Building.

Stormwater management will be in compliance with MSD and City regulations. Parking will be contained within the development through utilization of the internal streets and garages. Parking currently associated with The Awakening sculpture will not be designated for resident parking. The intention is to comply with the Unified Development Code standards, with the exception of requested modifications to the parking and building setbacks.

The proposed plan will be updated per feedback received from adjoining neighbors, Staff review, and input from the public hearing.

Discussion

In response to questions from the Commission, the following information was provided by the Petitioner's development team:

Parking

Parking is intended to be all internal. Any of the existing parking designated along Veterans Place Drive, for Chesterfield Amphitheater, the park, and The Awakening sculpture would not be used for this development, which necessitates a modification to the parking setbacks from the internal drive. Two parking stalls are proposed for each home with proposed tuck-under garages associated with the townhomes. Parking on the internal streets will be for residents only and not open to public parking.

Live/Work Units

Examples of a live/work unit would be a three-story building with residential on the 2nd and 3rd stories and commercial space on the ground floor for small retail, or a one-two-person service company, such as a law firm or financial advisor. The three stories would all be leased to one entity.

Private Streets

One of the main goals is to make the design "community-inclusive"; there will not be any gates. Sidewalks will connect throughout the development and the public will be invited to walk through the development. Private streets are being proposed so that the developer can police the site. It is their intention to inspect the garages monthly to ensure the residents are using the garages for parking and not storage; they also want to ensure that their residents have designated parking that doesn't spill over into the public stalls.

Connectivity

The site is designed with a sidewalk leading up to every home; it is not designed as a "suburban model" where residents drive up to their home, pull into their garage and "never see their neighbors". The proposed design encourages walkability to the

building's front door, which means a resident's car may be parked 50-150 feet away from the residence. Every home will be connected to a significant sidewalk that traverses the site. The development will also be open to the public for walking purposes, and will be filled with public art and extensive landscaping.

Transition

Transition is achieved from a building height standpoint. Because the site is adjacent to the multi-story HKS building to the south, the design proposes three-story buildings along this side. Single-level homes will abut the library to the north.

Density

Councilmember Mastorakos expressed concern about the density of the site and that persons using the park, pool, and amphitheater will be looking at a lot of structures without any green space or open space. Mr. Kreutz replied that the site planning needs to evolve before he can respond to this concern. They will get everyone's comments and then present a more detailed plan.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:

1. Ms. Jan Misuraca, 1414 Sycamore Manor, Chesterfield, MO.

Ms. Misuraca stated that the proposed development is directly across the street from the Veterans Honor Park, on which she worked "tirelessly for five years to get built". She expressed concerns about the density of the project so near to the City's park, pool, amphitheater, and Veterans Honor Park. She also objects to the requested 0' parking setbacks, which brings the development directly against the curb of Veterans Place Drive. She feels that there will be many complaints about noise, roads being closed, parking, and walkability of the area. She suggested the addition of a plaza toward the amphitheater and Veterans Honor Park to keep the park-like feel along Veterans Place Drive.

Discussion

Commissioner Marino asked for clarification as to whether her objection pertains to the development being proposed right in front of Veterans Honor Park. Ms. Misuraca explained that she feels the development encroaches on the entire community-feel and openness from the library to The Awakening. She also stated that the original plan she had seen years ago showed buildings more towards Chesterfield Parkway, to which she has no objection.

2. Mr. Dave Cissell, 2 Upper Conway Lane, Chesterfield, MO.

Mr. Cissell noted his concerns about the project being built right up to Veterans Place Drive. He also has concerns about congestion on event nights at the amphitheater. He questioned whether the City wants housing units "sandwiched in between the library, the Honor Park, The Awakening sculpture, and the amphitheater". Mr. Cissell stated that the proposed development and the Watermark development will put additional pressure on the maintenance of the park, capital improvements, and the overall accessibility of the residents who don't live in these units. Along with the proposed 140 units, he pointed out that the City has already given approval for the addition of 700 apartment units in the urban core area.

SPEAKERS – NEUTRAL: None

REBUTTAL:

Streets/Access

Ms. Stock Gitto stated that the developer will be responsible for constructing and maintaining the private streets, but the streets will be open to the public. The two current entrances (one off of Veterans Place Drive and one off of Chesterfield Parkway West) will be maintained, and two additional entrances are being proposed – an extension of Main Circle Drive to intersect with Veterans Place Drive, and the current right-of-way dedication for an extension of Park Circle Drive to intersect with Veterans Place Drive just south of the reading garden. The plan promotes access and connectivity by encouraging people to walk through the site; however, the development will not be open to public parking.

Mr. Kreutz advised that the existing two-lane round-about at the intersection of Main Circle Drive and Park Circle Drive is difficult for pedestrians to cross. They hope to convert the streets to private streets in order to remove the round-about and make the area safer for pedestrians.

Parking/Parking Setbacks

Mr. Kreutz stated that a re-design of the Preliminary Development Plan will incorporate garages into the three-bedroom duplex units proposed along Veterans Place Drive. The front doors of those units will face Veterans Place Drive with parking access behind.

Mr. Doster added that they will review the concerns expressed about the parking setbacks along Veterans Place Drive to determine how that issue can be addressed.

Park Agreement

Mr. Doster explained that for years Sachs negotiated with the City regarding an amendment to the Park Agreement that would allow for the donation of additional property to the City for completion of the Riparian Trail. The agreement has been fully negotiated and the conveyances recently closed. The amendment allowed for The Awakening, along with the one-acre tract of land upon which it sits, to be donated to the City. It was noted that the City has the right to relocate The Awakening if it wanted to utilize the land for another activity.

Density/Planned Commercial & Residential (PC&R)

Mr. Doster stated that in order for a town center/downtown to be successful, the residential density has to be located in proximity to the commercial uses. The Urban Core District supports density on the subject site.

PC&R zoning is designated north of the subject site. One of the PC&R sites is currently being developed by Pearl with a hotel, restaurant, and multi-family units to create a mix of uses to sustain what is being constructed on the property. The one thing that drives success of such developments is *density*, and integrating retail, commercial, and residential together vertically and horizontally. They feel that the proposed development will help the PC&R developments.

Chair Hansen stated that during the past year, Staff has worked with the community on updates to the Comprehensive Plan and noted that many of the requests relate to green

space, walkability, bikeability, and a place to gather and be a community. She feels that the subject development is different than the PC&R developments in that the subject site is located next to City Park and Veterans Honor Park.

Mr. Doster stated that he does not see an issue with transition, as he sees a compatibility with all of the uses. Residential is needed to drive the commercial, and commercial is needed to serve the residential. One of the important points of having the various uses in close proximity gives residents the opportunity to walk to all of the various places.

Commissioner Schenberg expressed his concern that the proposed development is primarily residential without enough retail or restaurants to support a downtown Chesterfield. Mr. Doster responded that a mixed-use downtown cannot be achieved unless the residential is there. He added that The Staenberg Group has reviewed the proposed plan and has indicated that it is compatible with the conceptual plan they are developing for the Mall. They have noted that the area needs more residential, and a mix of residential products, in order to attract retail uses.

Commissioner Wuennenberg stated that both the current and updated Comprehensive Plans have the subject site designated as Urban Core. He feels the Petitioners are proposing exactly what has been talked about and laid out for the downtown area. He agreed that the setbacks need to be reviewed, but the project fits in with the plans for the area.

Commissioner Tilman agreed that the setbacks along Veterans Place Drive need to be altered.

ISSUES:

1. Access
2. Streets within the development
3. Density
4. Connectivity to surrounding developments and through the development
5. Consideration of the amphitheater events and its impact with the proposed development
6. Setbacks, specifically along Veterans Place Drive
7. Pool
8. Be as specific as possible on the numbers regarding capacity of the amphitheater

Commissioner Schenberg read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING SUMMARY

Commissioner Tilman made a motion to approve the Meeting Summary of the August 26, 2019 Planning Commission Meeting. The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. UNFINISHED BUSINESS - None

IX. NEW BUSINESS

A. 2020 Proposed Planning Commission Meeting Schedule

The proposed Meeting Schedule was accepted.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:25 p.m.

Gene Schenberg, Secretary

