

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
MEETING SUMMARY
AUGUST 14, 2023**

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

I. ROLL CALL

PRESENT

Commissioner Gail Choate
Commissioner John Marino
Commissioner Debby Midgley
Commissioner Jane Staniforth
Commissioner Steven Wuennenberg
Chair Guy Tilman

ABSENT

Commissioner Khalid Chohan
Commissioner Allison Harris
Commissioner Nathan Roach

Councilmember Merrell Hansen, Council Liaison
Mr. Nathan Bruns, representing City Attorney Christopher Graville
Ms. Petree Powell, Assistant City Planner
Ms. Alyssa Ahner, City Planner
Ms. Shilpi Bharti, City Planner
Ms. Erica Blesener, Recording Secretary

Chair Tilman acknowledged the attendance of Councilmember Merrell Hansen, Council Liaison; Councilmember Mary Ann Mastorakos, Ward II; and Councilmember Gary Budoor, Ward IV; and Councilmember Dan Hurt, Ward III.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS - None

V. APPROVAL OF MEETING SUMMARY

Commissioner Staniforth made a motion to approve the Meeting Summary of the July 24, 2023 Planning Commission Meeting, as amended. The motion was seconded by Commissioner Choate and **passed** by a voice vote of 6 to 0.

VI. PUBLIC COMMENT

A. Chesterfield Commons Six, Lot 3 (Chick-fil-A)

Representing Petitioner:

1. Mr. Joshua Bryant (CPHLC), representing Chick-fil-A, 518 S. Camp Meade Rd. Linthicum Heights, MD was available for questions.

Neutral:

1. Mr. Arash Amini, Owner, Amini's, 17377 Chesterfield Airport Rd. Chesterfield, MO.

Mr. Amini stated the shared parking easement he signed in 2004 indicated use for 21 parking spaces located on the south side for customers and patrons only, not employees. Two (2) issues have arisen regarding the parking easement; Chick-fil-A employees use of parking, and customer trash. He contacted the owner of Chick-fil-A to resolve the issues, but was met with disinterest and told not to contact him again. He believes there is a congestion problem and would like it to be resolved. Commissioner Staniforth asked Mr. Amini if the owner of Chick-fil-A is local to the area. Mr. Amini believes he is local, but is unable to confirm. Chair Tilman stated the information is beneficial and will be added as recommendations before the petition goes to the Planning and Public Works Committee and City Council. He mentioned a service agreement for trash receptacles, or policing of the parking lot could be options used to rectify the issues. Councilmember Hansen stated the City Council will be calling power of review on the petition and it will go to the Planning and Public Works Committee regardless of the vote. Chair Tilman requested the owner of Chick-fil-A to be notified with an invitation to attend the Planning and Public Works Committee Meeting. Councilmember Hansen stated staff will provide the information of the Planning and Public Works Meeting and to Mr. Bryant to share with the owner.

B. Spirit Valley Business Park II Record Plat

Representing the Petitioner:

1. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO – representing Spirit Valley Business Park II Record Plat was available for questions.

Petitioner:

1. Mr. Daniel Hayes, 8112 Maryland Avenue, St. Louis, MO.

Mr. Hayes stated they have been a proactive and reputable developer in Chesterfield for decades. He addressed concerns that were raised during the last ARB meeting regarding artifacts found years ago on the adjacent site. The artifacts were located at a depth of about 5' - 6', on that site, and is now a large basin used to collect storm water. The adjacent site was recently owned by the City of Chesterfield then sold to the Levee District. The project for the infrastructure work consists of; a street, utilities, and minor grading of the surface. Tubular USA will be bringing 3" - 4" of fill dirt to the site; therefore, any concerns of finding human remains are highly unlikely. Mr. Hayes added if human remains were to be found, there are Missouri statutes that governs what is to happen. If remains are found all excavation must stop immediately and the Chesterfield police would be notified. The Chesterfield Police Department would determine if the site is an active crime scene, and if not, it will be reported to Jefferson City for further investigation. Jefferson City would have 30 days to search a 50-foot perimeter of where the remains are found.

C. Spirit Valley Business Park II, Lot 3 (Tubular USA) SDSP

Representing the Petitioner:

1. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO – representing Spirit Valley Business Park II, Lot 3 (Tubular USA) was available for questions.
2. Mr. Joe Fischer, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO was available for questions.

Petitioner:

1. Mr. Daniel Hayes, 8112 Maryland Avenue, St. Louis, MO was available for questions.

D. TSG Chesterfield Airport Road, Lot D (Scrubbles) ASDSP

Representing the Petitioner:

1. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO – representing TSG Chesterfield Airport Road, Lot D (Scrubbles) was available for questions.
2. Ms. Kate Stock Gitto, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO – representing TSG Chesterfield Airport Road, Lot D (Scrubbles) was available for questions.

E. Larry Enterprises Jim Lynch Hummer, Lot A1, Parcel 2 (Porsche Service Center) SDSP

Representing the Petitioner:

1. Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO – representing Larry Enterprises Jim Lynch Hummer, Lot A1, Parcel 2 (Porsche Service Center) was available for questions.
2. Ms. Kate Stock Gitto, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO – representing Larry Enterprises Jim Lynch Hummer, Lot A1, Parcel 2 (Porsche Service Center) was available for questions.

Ms. Gitto acknowledged the attendance of Indigo Properties, Austin Shaw, and James Drake; PGAL Architects, Chris Ruebush; Brinkmann Constructors, Andrew Lucas and Albert Fleer. Ms. Gitto, requested approval of Larry Enterprises Jim Lynch Hummer, Lot A1, Parcel 2 (Porsche Service Center) SDSP.

P.Z. 10-2023 Carshield F.C. (Stock & Associates)

In Opposition:

1. Ms. Mary McDevitt, 156 South Eatherton Road, Chesterfield, MO.

Ms. McDevitt raised concerns regarding the infrastructure along North and South Eatherton Road. Even though MoDOT is adding a roundabout to the location (at Eatherton and Wild Horse Creek Rd), there is always an accident at the bottom of her driveway during inclement weather due to proximity with the Sports Complex, The Crossing, and other businesses in the area. She added the Chesterfield Athletic Complex is within three (3) miles and there are other fields across the bridge. Ms.

McDevitt mentioned the increase in volume could increase safety issues. She noted a recent incident in which people were siphoning gas from her vehicle.

Furthermore, Ms. McDevitt contacted Archeologist Joe Harl regarding the Spirit Valley West site adjacent to the Dampier site, and was informed that any sewer lines, deep excavations, or trenches could reveal human remains.

P.Z. 11-2023 Burkhardt Place, Lot 11

Representing the Petitioner:

1. Lauren Strutman, 16676 Old Chesterfield Road, Chesterfield, MO was available for questions.

Bill Vellios, 2758 Kehrs Mill Road, Chesterfield, MO.

Mr. Vellios stated 2758 Kehrs Mill Road was changed from NU to R3 and would like to rezone to PUD for the property. Chair Tilman explained to Mr. Vellios that the correct way to proceed is to consult with staff regarding the request.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. **Chesterfield Commons Six, Lot 3 (Chick-fil-A) ASDSP:** A Third Amended Site Development Section Plan, Amended Landscape Plan, Lighting Plan and Amended Architectural Elevations for a 1.28-acre tract of land zoned "C-8" Planned Commercial District located on the north side of Chesterfield Airport Road and west of Boone's Crossing.

Commissioner Staniforth made a motion recommending approval for Chesterfield Commons Six, Lot 3 (Chick-fil-A) ASDSP. The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 4 to 2 with Commissioners Staniforth and Choate voting no.**

Discussion

Commissioner Wuennenberg, explained there was a lot of discussion regarding the neighboring parking agreement, including issues with trash. The issues will be addressed by the Planning & Public Works Committee. Commissioner Staniforth, stated with the item going to power of review, it's obvious they are having problems working with their neighbors. She added, with the huge reduction of parking spaces it's important for the owner to work with neighbors to rectify the problems. Commissioner Staniforth concurred with Commissioner Wuennenberg, that the location is in need of the extra drive-thru due to the congestion. Commissioner Midgley commented on the parking study and the significant parking reduction for Chick-fil-A customers.

- B. **Spirit Valley Business Park II Record Plat:** A Record Plat for a 27.35-acre tract of land zoned "PI" Planned Industrial located south of Olive Street Rd., east of Eatherton Rd., and west of Spirit Valley Central Dr.

Commissioner Staniforth made a motion recommending approval for Spirit Valley Business Park II Record Plat. The motion was seconded by Commissioner Marino and **passed by a voice vote of 6 to 0.**

- C. **Spirit Valley Business Park II, Lot 3 (Tubular USA) SDSP:** A Site Development Section Plan, Landscape Plan, Lighting Plan, and Architectural Elevations for an 8.15-acre tract of land located south of Olive Street Rd and west of Spirit Valley Central Dr.

Commissioner Staniforth made a motion recommending approval for Spirit Valley Business Park II, Lot 3 (Tubular USA) SDSP. The motion was seconded by Commissioner Choate and **passed by a voice vote of 6 to 0.**

- D. **TSG Chesterfield Airport Road, Lot D (Scrubbles) ASDSP:** An Amended Site Development Section Plan, Lighting Plan, and Architectural Elevations for a 1.5-acre tract of land located north of Chesterfield Airport Rd., west of Jaguar Land Rover Way, and south of Arnage Rd.

Commissioner Staniforth made a motion recommending approval for TSG Chesterfield Airport Road, Lot D (Scrubbles) ASDSP. The motion was seconded by Commissioner Marino and **passed by a voice vote of 6 to 0.**

- E. **Larry Enterprises Jim Lynch Hummer, Lot A1, Parcel 2 (Porsche Service Center) SDSP:** A Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations, and Architectural Statement of Design for a 5.24-acre tract of land located north of N. Outer 40 Rd and east of Boone's Crossing.

Commissioner Staniforth made a motion recommending approval for Larry Enterprises Jim Lynch Hummer, Lot A1, Parcel 2 (Porsche Service Center) SDSP. The motion was seconded by Commissioner Marino and **passed by a voice vote of 6 to 0.**

VIII. UNFINISHED BUSINESS

- A. **P.Z. 10-2023 Carshield F.C. (Stock & Associates):** A request to rezone from "PI" Planned Industrial to a new "PI" Planned Industrial district for a 16.58-acre tract of land located east of Eatherton Rd and north of Wings Corporate Dr. (17W130064).

Planner Alyssa Ahner, provided the following information about the petition:

PROPOSAL SUMMARY

Stock & Associates Consulting Engineers Inc., on behalf of Carshield F.C., has submitted a request to rezone a 16.58-acre tract of land to a new "PI"—Planned Industrial District to allow "Athletic Courts & Fields", "Gymnasium", and "Recreation Facility" as additional permitted uses and modify the existing development criteria. The site would be utilized as an indoor and outdoor sports facility.

A public hearing was held on July 10th, 2023 at which time, the Planning Commission discussed the proposed amendments of the zoning district. The discussion focused on potential traffic from the development and the request for a maximum height of 70 feet for the lighting standards.

Eatherton Rd. is owned and maintained by St. Louis County. A traffic study was not provided as a requirement from County. However, the proposed Attachment A does include a statement for the developer to provide a traffic study should one was deemed necessary by the City or the County.

In regards to the 70-foot lighting standards, a representative spoke during the Public Hearing to elaborate on the technology of the lighting fixtures that would be utilized. Staff also brought to the Planning Commission's attention that a photometric plan would be required during the Site Development Plan process. The illumination of the lighting must adhere to the Unified Development Code and also receive approval from the Spirit of St. Louis Airport to ensure lighting does not affect flight traffic.

Commissioner Marino made a motion to forward the petition to City Council with a recommendation of approval. P.Z. 10-2023 Carshield F.C. (Stock & Associates). The motion was seconded by Commissioner Midgley and **passed by a voice vote of 6 to 0.**

Chair Tilman questioned the process of requesting a traffic study. Ms. Ahner, explained the zoning process consists of five (5) meetings; Public Hearing, Planning Commission Vote, Planning & Public Works Committee, and two (2) separate readings by City Council. The proposed Ordinance, if approved, contains language that allows either the City of Chesterfield or St. Louis County to request a traffic study during the Site Development Plan process. Chair Tilman stated traffic has been an issue in the area and recommends a traffic study to be done. He questioned the status of the roundabout. Ms. Ahner, confirmed MoDOT will be proceeding with the roundabout. Chair Tilman stated the roundabout will help alleviate the traffic at the top of the hill. Councilmember Hansen stated the road is owned by the County. Ms. Ahner, stated when it comes to traffic and access locations the Preliminary Development Plan has conceptual access spots. During Site Development Plan review, it needs to align with what St. Louis County is requiring, along with City standards, but is ultimately within St. Louis County's jurisdiction. Commissioner Marino stated the committee will continue to do what is best for the City, and will not be held back by St. Louis County.

Chair Tilman questioned the progress of the lighting poles. Ms. Ahner explained that during the Public Hearing, the lighting technology was discussed. Some poles are restricted to 40 and 70 feet in other areas. Once the rezoning has been approved, the Site Development Plan will need to be approved as well which requires review of a photometric lighting plan. Commissioner Wuennenberg commented this is just the zoning portion of the approval process. He still has concerns about the lighting, and believes traffic needs to be a continued conversation.

Commissioner Marino made a motion recommending approval of P.Z. 10-2023 Carshield F.C. (Stock & Associates). The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

Aye: Commissioner Choate, Commissioner Marino,
Commissioner Midgley, Commissioner Staniforth,
Commissioner Wuennenberg, Chair Tilman

Nay: None

The motion **passed** by a voice vote of 6 to 0.

B. P.Z. 11-2023 Burkhardt Place, Lot 11: A request for an ordinance amendment to the existing "PC" Planned Commercial District to new "PC" Planned Commercial District for 0.32 of the Historical District, located on the south side of Old Chesterfield Road (17T220036).

Planner Shilpi Bharti provided the following information about the petition:

REQUEST

The applicant has submitted a Preliminary Development Plan and narrative for review. The applicant is requesting to amend the existing ordinance for setbacks, and building square footage. There is no change requested to the existing permitted use allowed per site-specific ordinance 1618. In the Preliminary Development Plan, the applicant is proposing a new covered rear porch which will increase the building square footage. The existing structure on site does not meet all the setback requirements of site-specific ordinance 1618. To bring the site into compliance and to renovate the existing structure, the applicant is requesting to modify the development standards of the existing ordinance. Ms. Bharti mentioned that there is slight change in the Attachment A Section III Trust Fund Contribution, which is shared with the Planning Commission. She mentioned that previously TGA contribution was collected by St. Louis County but it will be now collected by the City. Thus, the change in Section III reflects that the contribution will be collected by the City. Ms. Bharti asked the Planning Commission to vote on the amendment.

Commissioner Choate questioned the traffic study. Ms. Bharti stated this is the standard language we have in the attachment A, and based on the Site Plan, a traffic study could be required by the City of Chesterfield. Commissioner Marino commented that the historic district has been previously discussed and the importance of bringing this to City Council for acknowledgement. Councilmember Hansen stated how the City is looking to promote our history and finding ways to create signage for historic sites. Councilmember Hansen encouraged others to bring ideas, adding, this is a great opportunity for the community to get involved.

Councilmember Hansen acknowledged Lauren Strutman, for her work as a past ARB Committee Member, and involvement with all things historical in the City of Chesterfield.

Commissioner Marino made a motion recommending approval of the amended P.Z. 11-2023 Burkhardt Place, Lot 11. The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

Aye: Commissioner Choate, Commissioner Marino,
Commissioner Midgley, Commissioner Staniforth,
Commissioner Wuennenberg, Chair Tilman

Nay: None

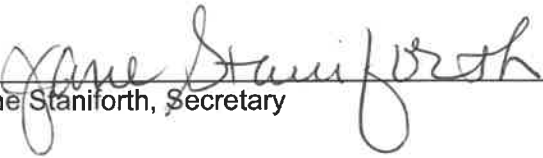
The motion passed by a voice vote of 6 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:42 p.m.



Jane Staniforth, Secretary