PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
AUGUST 13, 2012

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

I. ROLL CALL

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

Mayor Bruce Geiger
Councilmember Randy Logan, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Justin Wyse, Senior Planner
Mr. Kevin Neill, Project Planner
Ms. Purvi Patel, Project Planner
Mr. Jeff Paskiewicz, Senior Civil Engineer
Ms. Kim Streicher, Civil Engineer
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

Chair Watson acknowledged the attendance of Mayor Bruce Geiger; Councilmember Randy Logan, Council Liaison; and City Administrator Mike Herring.

IV. PUBLIC HEARINGS – None

V. APPROVAL OF MEETING MINUTES

Commissioner Lueking made a motion to approve the minutes of the July 9, 2012 Planning Commission Meeting. The motion was seconded by Commissioner Midgley and **passed by a voice vote of 6 to 0 with 2 abstentions** from Commissioners DeGroot and Wuennenberg.

VI. PUBLIC COMMENT

1. Mr. Mike Doster, 16090 Swingley Ridge Road, Chesterfield, MO Attorney for the Petitioners for both **P.Z. 02-2012 Mercy Health System (Chesterfield Village, SE Quadrant)** and **P.Z. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.)** requested that their comments and opportunity to answer questions be deferred until the *Old Business* portion of the meeting after Staff presents both petitions. The Commission agreed to defer the Petitioner's comments.

2. Mr. Kevin Cushing, Attorney representing Dierbergs, 120 S. Central, Clayton, MO speaking as a **neutral** party relative to **P.Z. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.)** made the following points:
   - Dierbergs Corporate Headquarters have been located on Swingley Ridge Drive for the past 12 years. Dierbergs was part of the tract identified as Tract A. It is his understanding that the proposed rezoning would identify Tract A solely as Dierbergs and Tract B will be the RGA parcel.
   - The original zoning allowed for a total of 460,000 sq. ft. of office building on the Dierbergs and RGA parcel combined. The square footage was increased in January 2012 to a total of 500,000 sq. ft. Dierbergs did not receive notification of the proposed change.
   - The proposed request being considered this evening would allow the RGA parcel 655,000 sq. ft.
   - The Traffic Study that has been submitted is not complete in that it does not include comments from the Missouri Highway Department or St. Louis County Highway Department. Dierbergs thinks those comments are necessary before going forward with the rezoning of this project.
   - Dierbergs understands that the Traffic Study is a preliminary study but is voicing its concerns now because of the increased traffic that will be generated from the proposed project.
   - They believe that improvements will be necessary as follows:
     - The Highway 40 overpass from Chesterfield Parkway will need to be widened.
     - Additional left turn lanes will need to be added to Chesterfield Parkway.
   - They have technical issues with the proposed Ordinance as outlined below:
     - They are requesting that when the Ordinance references Building Group A and Building Group B that there be only one attachment rather than the several attachments currently being proposed.
     - Regarding paragraph II.6.b. on page 8 of the Attachment A which references Building group B, they want it to be clear that this applies to all the proposed buildings on the RGA parcel – not just to Phase II.

- They also propose the following amendment to Section II.6 of the Ordinance: (changes shown in **bold)**

    6. In addition to requirements elsewhere in this ordinance and requirements of the City of Chesterfield City Code, **prior to the issuance of any building permits or the approval of any Final Development Plan,** the following are additional requirements for building group B:

    a. Provide a traffic study as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation. Improvements involving regional issues shall be addressed as directed by all governing jurisdictions.

    ~~**b. Provide road improvements, as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation as identified in the study prepared by Bernardin, Lochmueller & Associates, Inc. dated July 23, 2012. As identified in this study, modification of the westbound I-64 on ramp in conformance with the City's plan for the extension of outer road system is required for office development in excess of 405,000 square feet on building group B.**~~

Mr. Cushing provided hand-outs to the Commission showing the proposed amendment. The hand-out was also given to Mr. Doster, representing the Petitioner.

3. Mr. David Brammeier, 1830 Craig Park Court, St. Louis, MO speaking as a **neutral** party relative to **P.Z. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.).** He is a Professional Engineer dealing in the field of traffic and transportation who has been retained by Dierbergs to review the traffic in the area and the Traffic Study prepared for RGA. Based on his review, he has "identified several areas of deficiencies" as noted below:
    - It is his understanding that a total input between the County, the City, and MoDOT has not occurred.
    - There are five locations where dual left or right turning movements are needed based on the RGA study. Dual lanes are generally required by traffic engineers and governmental agencies when turning movement volumes exceed 300 vehicles per hour. These locations are as follows:

        1. **Northbound Parkway at Swingley:** Forecast is 690 left turns onto Swingley. There is an existing sight distance problem for vehicles southbound at this location; and yield on green would not be allowed.
        2. **Southbound Parkway from Swingley:** Forecast is 614 right turns.
        3. **West off ramp from I-64:** Currently there are 535 left turns. The proposal is to take this to a dual left turn, which will cause queuing, weaving, and merging issues because of the closeness of the two intersections and the need for widening on the bridge, which is not shown in Phase I.

4. **Southbound Parkway at Wildhorse:** Forecast is 930 right turns. The plan is to convert an existing southbound thru-lane into a dedicated right-turn lane leaving one southbound lane.
5. **Southbound Parkway at I-64 eastbound on ramp:** Forecast is 409 left turns from a short back-to-back left turn lane. If any of the left turns queue into the remaining southbound lane, all traffic will come to a stop.

- In order to make these highway improvements, the bridge over Highway 64/40 will need to be widened.

Speaker summarized noting that there is a sight distance issue at Swingley; there has been no review by MoDOT and the required coordination meetings have not been scheduled, according to their understanding. Based on his background and experience, the roadway improvements included in the RGA report for the full build-out will be needed now to properly deal with the increased traffic created by the development of the RGA parcel.

Mr. Brammeier provided hand-outs to the Commission outlining the points noted above. The hand-out was also given to Mr. Doster, representing the Petitioner.

Discussion

Councilmember Logan asked Mr. Brammeier if he is of the opinion that nothing should be developed on the site beyond the original scope of the Ordinance, which allowed for 460,000 sq. ft. on the two combined parcels unless the bridge is widened prior to the opening of Phase I. Mr. Brammeier replied that because of the heavy turning movements, there needs to be some dual turning movements which would create some widening of the bridge. This is based on the trip generation shown in the Traffic Study on page 7.

Mr. Cushing then asked that both hand-outs be made a part of the record. City Attorney Heggie stated that they would be accepted as part of the record but noted that such documents are generally required to be submitted to Staff prior to the meeting so there is adequate time for review. Ms. Aimee Nassif, Planning and Development Services Director stated that the Planning Commission policy is that no documents can be submitted to the Planning Commission after noon on Friday prior to the meeting.

4. Mr. Josh Barcus, Civil Engineer for Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO representing the **Petitioner** relative to **P.Z. 02-2012 Mercy Health System (Chesterfield Village, SE Quadrant)** stated he was available for questions.

5. Mr. Doug Shatto, Branch Manager of Bernardin, Lochmueller & Associates – Transportation Engineers, 411 North 10th Street, Suite 200, St. Louis, MO representing the **Petitioner** relative to **P.Z. 02-2012 Mercy Health System (Chesterfield Village, SE Quadrant)** and **P.Z. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.).** He performed the Traffic Impact Study for the RGA site and stated he wanted to refute some of the comments previously made.
   - They have been working closely with the City Staff on the RGA study, which was done on the heels of the study done for the Mercy project. The scoping process for the two projects was the same – they were able to build off the same database of information.
   - The RGA study is currently being reviewed by both MoDOT and County.

- They are aware of the volumes and some of the constraints that exist. Their study demonstrates that Phase I, with approx. 400,000 sq. ft. of office space, can be accommodated and the improvements prescribed will actually improve the existing conditions. It is their opinion that the widening of the overpass is not necessary.
- They are aware of the existing sight distance constraint at Chesterfield Parkway and Swingley Ridge. All of their analyses factored this in for consideration – they assumed protected-only left turns at this location, which means that northbound lefts can only be made on an arrow.
- They are aware of the left-turn volumes at each of the locations that were referenced in Mr. Brammeier's presentation. The 300 vehicles per hour is a general guideline used to evaluate conditions; they feel that the overall intersection operating conditions are more important. With the forecasted improvements and the forecasted traffic in place, they have found that they can accommodate the traffic and have a Level of Service C or better at most locations – with the exception of North Outer 40 Road and at that location they are actually cutting delays in half.
- Their conclusion is that Phase I can be fully accommodated with the improvements that have been prescribed associated with Phase I. The ultimate improvements are related more to some of the background conditions that exist in this area. Ultimately, there will be a need to replace the overpass – which could occur either in association with the full build-out of the site or with other development within the area.

Discussion

Commissioner Wuennenberg asked for clarification on the northbound Chesterfield Parkway at Swingley Ridge dedicated left-hand turn with the light. Mr. Shatto stated that they are recommending that the left turn lane be extended by providing a third lane on northbound Chesterfield Parkway that would go from Swingley Ridge back to North Outer 40, which would provide for additional queuing. They would also have to provide a very long left turn phase in order to accommodate the movement in the morning. He noted that this intersection currently operates at a Level of Service D – with the prescribed improvements, it is anticipated that this will operate at a Level C.

Commissioner DeGroot asked Mr. Shatto if he had had an opportunity to review the hand-out provided by Mr. Brammeier and asked if he agreed with the number of turns outlined in his review. Mr. Shatto said he had previously seen most of the comments in a different context and the forecasted turns are accurate.

Commissioner DeGroot asked Mr. Shatto if he believes the prescribed improvements will accommodate the traffic generated by the RGA site. Mr. Shatto stated that this is correct – he noted that the prescribed improvements will accommodate both the existing traffic and RGA's traffic. In addition, they have made accommodations for background traffic – they took information from the City's travel demand model and also reflected the influence that the Mercy development will have within this area.

Commissioner Lueking asked if they are also taking into account the vacant property across from RGA on the Parkway. Mr. Shatto indicated that the background growth from the City's travel demand model was factored into the study – but they did not explicitly look at that site alone. Ms. Nassif added that the densities, the proposed uses and the

current or proposed zoning is taken into account in the City's traffic model that will be used when the City reviews the Traffic Study. Mr. Justin Wyse, Senior Planner pointed out that if the site across the street from RGA were to come in with a Site Plan to develop, they would be required to submit a traffic study and would have to provide road improvements to mitigate their impact.

Commissioner Lueking referred to the Level of Service during rush-hour traffic and the back-up that occurs on Chesterfield Parkway between Swingley Ridge and North Outer 40. Mr. Shatto stated that the intersection of the Parkway and Swingley currently operates at a Level D; while the intersection at North Outer 40 operates at a Level F. The prescribed improvements will cut the delays in half at North Outer 40. They will provide a second left turn lane for westbound traffic and reconfigure southbound traffic at Wildhorse Creek Road.

City Attorney Heggie noted that there is an additional review process that is ongoing and the Attachment A requires an additional traffic study to be scoped and done to the City's satisfaction. He asked if his client understands that the improvements currently being proposed may not be all the improvements ultimately required by the City at the site plan stage. Mr. Shatto stated this it is understood that the improvements are subject to the final approval of all three agencies.

6. Mr. Ryan Schriber, Civil Engineer for Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO representing the **Petitioner** relative to **P.Z. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.)** stated he was available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. OLD BUSINESS

Commissioner Puyear made a motion to the change the agenda order to allow item VIII.B. to be reviewed first. The motion was seconded by Commissioner Wuennenberg and **passed by a vote of 8 to 0.**

B. P.Z. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.)
A request for an ordinance amendment in a "C8" Planned Commercial District of 225 acres in size located generally in the northwest quadrant of the intersection of Missouri Route 340 and US Highway 40/Interstate 64 including those properties along Chesterfield Parkway West (17S110147, 18S430237, 18S440148 & 18S420085).

Senior Planner Justin Wyse stated that the request is broken down into two general areas referred to as the *Highway 40/I-64 area* and the *Olive area.* The total subject site includes Parcels III, IV, VII and VIII along Olive and totals 75 acres in size. The proposed ordinance amendment covers only Parcels III and IV, which total approximately 35 acres of the total 75 acres.

The ordinance amendment request includes three basic parts:

- A revision to the Building Groups on Parcel 3. Currently Dierbergs is a portion of Building Group A. There is also a small Building Group B, which is planned for a hotel. Under the proposed amendment, the existing Dierbergs office becomes Building Group A and the remainder of the undeveloped portion on Parcel III becomes Building Group B.
- A modification to the permitted density. The modification pertains to both Parcel III, Building Groups A and B, and to the overall cap for Parcels III and IV.
- A modification to the permissible building height. The modification pertains to for Parcel III on proposed Building Group B.

Revision to Building Groups

The proposed Building Groups are shown on the plans submitted by Stock & Associates on Sheets C2 and C3.

Modification to the Permitted Density

The table below shows a summary of the existing entitlements and development for Parcels III and IV.

Existing Density for Parcels III and IV

Parcel	Building Group	Permitted Density		Existing Development	Existing Density	Remaining Density
III	A	460,000	Max. 1 Million sf	Dierbergs	94,783	365,217
				Vacant	0	
	B	350 Rooms		Vacant	0	350 Rooms
IV	C	350,000		Vacant	0	350,000
	D	170,000		Vacant	0	170,000

Under the proposed ordinance amendment, the permitted density for Parcels III and IV would be removed; however, each density allotments for each Building Group would remain in place.

Proposed Density for Parcels III and IV

Parcel	Building Group	Permitted Density		Existing Development	Existing Density
III	A & B	460,000 of office and a 350 room hotel OR 749,783 of office	Maximum density based on entitlements for each building group	Dierbergs	94,783
				Vacant	0
				Vacant	0
				Vacant	0
IV	C	350,000		Vacant	0
	D	170,000		Vacant	0

Under the proposed ordinance amendment, maximum density on Parcels III and IV would be increased to a potential of 1,269,783 square feet (assuming the development of Building Groups A and B as office).

Modification to the Permissible Building Height

Permitted/Requested Building Height

Building Group	Permitted Building Height	Requested Building Height
A	6 stories	6 stories
B	6 stories for office 15 stories for hotel	10 stories for office 15 stories for hotel

Parking

Parking will be handled on both surface and structured parking lots.

Traffic Study

The Traffic Study has been submitted for the site. This is an ongoing process. Staff has been working with St. Louis County, MoDOT, the Petitioners, and the nearby property owners. Staff feels that improvements will be required to handle both Phase I and Phase II. It is believed that with reasonable improvements, the system can adequately handle the additional density being requested.

The traffic study and corresponding improvements have been reviewed by Staff for consistency with the City's Travel Demand Model and Transportation Plan. The study identifies improvements conceived out of the City's plan for the roadway network in this area. This would include modification of the existing I-64 on-ramp at Chesterfield Parkway to extend the outer road, consistent with the outer road to the east of Chesterfield Parkway, and relocate the access to I-64 further west. In conjunction with this improvement, the extension of Swingley Ridge Road into the outer road would be required.

Proposed Amendment to Attachment A

Staff recommends the following amendment to Section II.6.b of the Attachment A. (change shown in **bold):**

6. In addition to requirements elsewhere in this ordinance and requirements of the City of Chesterfield City Code, the following are additional requirements for building group B:

    a. Provide a traffic study as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation. Improvements involving regional issues shall be addressed as directed by all governing jurisdictions.

    b. Provide road improvements, as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation as identified in the study prepared by Bernardin, Lochmueller & Associates, Inc. dated July 23, 2012 **and any addendum thereto**. As identified in this study, modification of the westbound I-64 on ramp in conformance with the City's plan for the extension of outer road system is required for office development in excess of 405,000 square feet on building group B.

Discussion

Commissioner Wuennenberg asked if the language proposed by Staff in the above amendment matches the amendment being requested by Dierbergs. Ms. Nassif replied that since Dierbergs did not provide their proposed amendment to Staff prior to the meeting, Staff has not had the opportunity to review it. Staff is not prepared to make a recommendation on whether or not Dierbergs' proposed amendment should be included. Staff will talk to Dierbergs' representatives after the meeting regarding their amendment. If deemed appropriate, Staff will introduce any further amendments to the Planning & Public Works Committee for their review.

Commissioner Lueking asked for clarification on the Permitted Density vs. the Proposed Density. Mr. Wyse stated that the Permitted Density is 460,000 sq. ft. of which 94,783 sq. ft. has already been constructed (*Dierbergs Corporate Headquarters*). The Proposed Density is 749,783 sq. ft. of office use, of which only 655,000 sq. ft. could be constructed taking into account the existing Dierbergs building. The hotel cannot be built if an office building over 400,000 sq. ft. is constructed on Building Group B.

Commissioner Lueking noted that the site across Chesterfield Parkway is approved for a 25-story building and asked how this potential development feeds into the improvements being proposed for the RGA site. Mr. Wyse replied that this has been addressed through the creation of the City's Travel Demand Model. He noted that both the Model and Traffic Study show that there will be capacity issues on either side of the bridge.

Commissioner Lueking asked for clarification about direct access onto Chesterfield Parkway other than access at the light. Mr. Wyse stated that there is a right-in from the Parkway, along with a right-out onto the Parkway, which will not be signalized. In addition, there will be a landscaped median in this area to prohibit any left-turn movements.

Petitioner's Comments

Mr. Mike Doster stated the following:

- They are opposed to the amendment proposed by Dierbergs this evening.
- They accept Staff's amendment as presented this evening. He noted that Staff had discussed the amendment with them prior to the meeting.
- They request that the vote not be delayed as they understand that they will be required to build improvements as required by all the relative agencies.
- They met with representatives from Dierbergs prior to the Public Hearing and feel that Dierbergs has been aware of what is being proposed.

Dierbergs' Comments

Mr. Jerry Ebest, Vice-President of Real Estate for Dierbergs Markets stated the following:

- While the Petitioner did meet with them before the Public Hearing, they did not have a Site Plan at the time.
- They are 100% in favor of RGA locating to the subject site – "it's a credit to the community, a credit to the City, a credit to this whole area". Their only concern is traffic.
- There have been so many points discussed this evening which they find "confusing". In particular, the ordinance encompasses a whole area and the

traffic movements included in the Traffic Study are all associated with existing traffic and RGA's development – the Study does not take into account the whole east side of Chesterfield Parkway.

Staff's Comments

Mr. Wyse clarified the following points:

- The City requires approval from St. Louis County and MoDOT prior to approval of the Site Development Plan, which is included in the Attachment A on page 4, Item 12.b. Such approval would include approval of the Traffic Study and the roadway improvements associated with it.
- Roadway improvements must be completed prior to occupancy of the development, as outlined in the Attachment A, on page 10, Item 6.n.

Commissioner DeGroot asked if Staff disagrees with Mr. Brammeier's opinion that the roadway improvements as illustrated in the RGA report for "full build-out" will be needed now to properly deal with the increased traffic created by the development of the RGA Parcel. Mr. Wyse replied that prior to the Site Plan being brought to the Commission, Staff will have a recommendation on what improvements are necessary.

Commissioner Lueking asked if the recommended improvements would relate to Phase I only. Mr. Wyse replied that the Traffic Study includes two sets of improvements – Phase I improvements and ultimate improvements. Each phase would have to have the corresponding improvements in place prior to occupancy.

As a point of clarification, Commissioner Wuennenberg asked for confirmation that the Traffic Study being reviewed at this time is for the RGA site only – and does not include the property on the east side of the Parkway. Mr. Wyse stated that this is correct.

As a point of clarification, Commissioner Lueking asked if a traffic study would be required for the 25-story office building that has been approved for the property across from RGA on the Parkway. Ms. Nassif confirmed that the zoning for this site has been approved but any development on that site would be required to mitigate for the impact to the current roadway system. Even though zoning entitlement is in place, any new development would not be permitted to break down the current roadway conditions.

Ms. Nassif then reminded the Commission that "this is still a work in progress". Staff has not yet received comments from all applicable agencies and Staff will not bring the Site Plan forward for review until the Traffic Study is fully vetted through MoDOT, the County, and the City.

Commissioner DeGroot made a motion to approve P.Z. 07-2012 Chesterfield Village NW Quadrant (RGA Insurance Co.) The motion was seconded by Commissioner Geckeler.

Commissioner Wuennenberg made a motion to amend the motion to amend Section II.6.b. of the Attachment A to read as follows: (change shown in **bold)**

> Provide road improvements, as directed by the City of Chesterfield, St. Louis County Department of Highways and Traffic, and the Missouri Department of Transportation as identified in the study prepared by

Bernardin, Lochmueller & Associates, Inc. dated July 23, 2012 **and any addendum thereto**.

Commissioner DeGroot seconded the motion. Both Commissioners DeGroot and Geckeler accepted the amendment to the motion.

Discussion on the Motion

Commissioner Lueking expressed her opposition to removing the cap of 1,000,000 sq. ft. of floor area being primarily offices, a hotel, theater, professional laboratories and schools. Ms. Nassif pointed out that if the cap is kept in place, then RGA would not be permitted to have the square footage they are requesting at this time.

Mr. Wyse added that if the cap is kept at 1,000,000 sq. ft. for Parcels III and IV, it would effectively leave 250,000 sq. ft. for Parcel IV. Commissioner Lueking suggested that the hotel be removed.

Mr. Wyse pointed out that if RGA built anything above 460,000 sq. ft., including the Dierbergs building, they could not build the hotel. The maximum size office that could be constructed on Parcel III would be 749,783 sq. ft. - or an office no greater than 460,000 sq. ft. along with a 350 room hotel could be constructed.

Upon roll call, the vote was as follows:

Aye: Commissioner Wuennenberg, Commissioner DeGroot, Commissioner Geckeler, Commissioner Midgley, Commissioner Proctor, Commissioner Puyear, Chair Watson

Nay: Commissioner Lueking

The motion passed by a vote of 7 to 1.

A. P.Z. 02-2012 Mercy Health System (Chesterfield Village, SE Quadrant): A request for a change of zoning from a "C-8" Planned Commercial District and two "PC" Planned Commercial Districts to a "UC" Urban Core District for a 40.040 acre area of land located north of Chesterfield Parkway and east of Elbridge Payne Rd. (19S531791, 19S531801, 18S210028, 18S210149, 18S210073, 18S210062, 18S220148, 18S220171 and 18S220061).

Senior Planner Justin Wyse stated that the subject site is an assemblage of approximately 40 acres of land in the southeast quadrant of Chesterfield Village**.** Immediately to the west of the subject site is the Elbridge Payne Office Park, to the east are the Schoettler Village Apartments, to the north is Interstate 64 and to the south is Chesterfield Parkway.

The site is currently included in several Planned Districts. The request is to bring the site under a single Planned District Ordinance to allow for a campus for Mercy Health System. The request would allow approximately 960,000 sq. ft. of office and medical uses on the property which relates to a floor area ratio of .55. The Petitioner has

indicated that they have no concern with complying with the minimum open space requirement of 30% of the Urban Core District.

Issues

At the last Issues Meeting, the following items were still open:

- *Inclusion of public art into the Ordinance*: This requirement has been added to the Ordinance.
- *Preserving Tree #30 and Tree #63:* The Petitioner has indicated that while they are committed to meeting the City's requirements for tree preservation, they are unwilling to make this concession at this time. This decision is based on the number of variables that are still unknown to the Petitioner regarding full development plans and specific engineering and architectural details at this time.
- *Parking Setbacks:*
  - The Petitioner is proposing an internal drive on the western side of the site and is requesting a 10-foot setback vs. the required 30-foot setback.
  - The Petitioner is requesting a 15-foot setback on the northern side of the site vs. the required 30-foot setback.
- *Building Setbacks:* An increased building setback of 100 feet on the south has been included in the Ordinance. It was pointed out this is not a Greenspace Preservation Area – the Petitioner intends to leave as much existing vegetation as possible; however they want to clean up the underbrush in order to construct a trail system.

Changes to the Preliminary Plan

Several changes have been made to the Preliminary Plan since the last time the Commission reviewed the request. Most notably, changes have been made on the eastern side of the site in response to conversations at the Issues Meeting. Previously, two parking structures were shown on the easternmost portion of the site, adjacent to the existing apartment buildings. The Petitioner has modified this by combining the two parking structures into one structure, moving the parking toward the interior of the site and revising the drive location further to the east.

Traffic Impact Study

A traffic study has been submitted with the request but is not approved at this time. Staff is in ongoing discussions with all applicable Agencies, as well as with the Petitioner.

Petitioner's Comments

Mr. Mike Doster, on behalf of the Mercy team, expressed appreciation to Staff, the Administration of the City, and the Planning Commission for working with the Mercy development team on what they believe is an historic project.

He then noted that the project takes into account the existing topography. During the plan's evolution, the development has moved north and west on the site; surface parking has been greatly reduced; acres of trees have been saved; and two lakes on the property will be restored and enhanced.

The Traffic Study, and its addendum, addresses areas of concern regarding traffic generated by the development but it is "a work in progress". Staff recommends that a South Outer 40 phase be constructed and that the access to 40/64 be relocated. This is an access and improvement that Mercy wants as well.

While Mercy is concerned with the limitation on square footage that is currently included in the Attachment A, Mercy is committed to working with the City and other applicable agencies to make the development, the road, and new access a reality.

They request that the rezoning and modifications be approved this evening.

Mayor's Comments

Mayor Geiger commended Mercy's cooperation with the City to make this an outstanding project and expressed his appreciation for all the effort and time put into the project.

Discussion

Commissioner Lueking asked Mr. Doster to expand on his concern about the limitations on square footage. Mr. Doster explained that they have requested a .55 floor area ratio which equates to approximately 964,000 sq. ft. This entitlement is currently included in the Attachment A. But Staff is proposing a limitation on the entitlement of .32 floor area ratio until such time as the phase of the outer road and relocated access are completed. Mercy is concerned about this limitation because they need the full entitlement; however, they are committed to working with the City, MoDOT, and Federal Highways.

Commissioner Geckeler pointed out that the Staff Report includes information about this matter, which states:

> *For reference, applying an F.A.R. of 0.32 to the Mercy site would permit development of 560,176 square feet of development prior to the improvements to the outer road and connection to I-64.*

Mr. Wyse then pointed out that the previous Staff Report included a section pertaining to traffic and areas of concern identified by Staff; specifically concern with consistency with the City's long-range plan. The Mercy team has submitted an addendum to the Traffic Study and all of those concerns have been addressed.

Commissioner Lueking made a motion to approve P.Z. 02-2012 Mercy Health System (Chesterfield Village, SE Quadrant). The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passed by a vote of 8 to 0.

Commissioner Puyear made a motion to modify the required 30-foot setback from the western district boundary to 10 feet. The motion was seconded by Commissioner Lueking.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passed by a vote of 8 to 0.

Commissioner Wuennenberg made a motion to modify the parking setback along the northern district boundary from the required 30 feet to 15 feet. The motion was seconded by Commissioner Geckeler.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passed by a vote of 8 to 0.

IX. NEW BUSINESS – None

X. COMMITTEE REPORTS – None

XI. ADJOURNMENT

The meeting adjourned at 8:18 p.m.

_____

Bruce DeGroot, Secretary