

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
July 28, 2003**

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

I. PRESENT

Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. B. G. Wardlaw
Vice Chairman David Banks
Mr. Doug Beach, City Attorney
Ms. Mary Brown, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill, Senior Planner
Mr. David Bookless, Project Planner
Mr. Mike Hurlbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Kathy Lone, Planning Assistant

ABSENT

Chairman Victoria Sherman

II. INVOCATION: Commissioner O'Connor

III. PLEDGE OF ALLEGIANCE:

Vice Chairman Banks recognized the attendance of Councilmember Jane Durrell (Ward I); Councilmember Bruce Geiger (Ward II); Councilmember Connie Fults (Ward IV), and Council Liaison Mary Brown (Ward IV).

Councilmember Brown presented a plaque to Ms. Rachel Nolen and thanked her for her dedication to the Planning Commission.

IV. PUBLIC HEARINGS:

Commissioner Layton read the first portion of the ‘Opening Comments.’

- A. **P.Z. 12-2003 Sheridan’s Ice Cream Parlor:** A request for an amendment to Ordinance 1025, authorizing the use of a drive-in restaurant in Hilltown Village Center, a “C-8” Planned Commercial District located at the intersection of Olive Boulevard and Chesterfield Parkway West (Locator Numbers 18S520778, 18S520954).

Project Planner Aimee Nassif gave a power point presentation showing the subject site and surrounding area.

1. Mr. Ron Hendrix, 14104 Canterbury, Leawood, KS 66224, petitioner for **P.Z. 12-2003 Sheridan’s Ice Cream Parlor**, stated the following:

- Owns The First Watch restaurant;
- Drive-thru has room for stacking 13 cars;
- There would not be any new curb cuts;
- Drive-thru would not be visible from Chesterfield Parkway North;
- Proposed building would be, at the most, 2,000 square feet;
- There is no indoor or outdoor seating-all walk up to the window and drive-thru;
- Exterior of building would blend in with the Hilltown Village concept;
- Works with fundraisers;
- About 98% of business is selling custard but does sell hot dogs for customer convenience.

Mr. Broemmer expressed concern with drive-thru restaurants in the Hilltown Village Center.

City Attorney Doug Beach stated that the Commission could limit drive-thru restaurants to this site only.

Councilmember Brown expressed concern with not having outdoor seating for the customers.

2. Mr. Andy Sutton, Volz Engineering, 10849 Indianhead Industrial, St. Louis, MO 63132, engineer for **P.Z. 12-2003 Sheridan’s Ice Cream Parlor**, stated the following:

- The exit to the south of the site will be an exit only or it could be removed.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL: None

Vice Chairman Banks stated that this petition would not go to the Architectural Review Board (ARB) for review.

Ms. Nassif stated that the following issues would be reviewed and addressed:

- Customer seating;
- Repair of the road parallel to the drive-thru;
- The exit south of the property off Chesterfield Parkway into Hilltown Village;
- Limit the drive-thru just to this parcel.

Commissioner Layton read the closing portion of the ‘Opening Comments.’

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the July 14, 2003 Meeting Minutes. The motion was seconded by Commissioner Macaluso and **passes** by a voice vote of 8 to 0.

VI. PUBLIC COMMENT -

1. Mr. David Richardson, Husch & Eppenberger, LLC, 190 Carondelet Plaza, Clayton, MO 63105, attorney for and speaking in favor of **P.Z. 6-2003: Villages at Kendall Bluff**:
 - Speaker stated that the petitioner is preserving 34.5% of the trees on the site and will try to save as many Monarch and prime specimen trees as possible;
 - Speaker stated that the petitioner is not able to adapt his plans to the request of a neighboring resident;
 - Speaker stated that the shed on the property for Surrey Place will be relocated, if necessary, for the Fire Department access.

General discussion followed concerning the number of trees to be saved and having the tree arborist for this petition present to answer questions.

Commissioner Macaluso asked for a plan showing where the shed is and how many feet it is located from the resident's property (Lander's).

2. Mr. Steve Lander, 679 Old Riverwoods Lane, Chesterfield, MO 63017, neighboring resident and speaking in opposition to **P.Z. 6-2003: Villages at Kendall Bluff**;
 - Speaker presented a letter to the Commission of an engineer's analysis attesting to the detrimental effects associated with clearing and developing the hillside;
 - Speaker stated that his home is located at the bottom of a steep, wooded hill and will have a water run-off problem if units 11-14B are allowed to be built on the hillside that overlooks his home;
 - Speaker stated that he has suggested creative ideas to the petitioner for this problem to be resolved but it has been fruitless;
 - Speaker stated that his homeowner's insurance will not cover any water run-off related problems;
 - Two (2) major sycamore trees would be destroyed if these two (2) buildings are built;
 - Speaker asked the Commission to require the developer to amend their plan to either relocate or eliminate units 11-14B;
 - Speaker stated that he does not think that the current PEU ordinance allows attached homes in an R-1A Residence District;
 - Speaker stated that Surrey Place requested the approval of adjacent property owners before building the shed.

City Attorney Doug Beach stated that the engineer's letter suggests a possible solution of an underground stormwater system which could be imposed on this site.

3. Mr. Bob Wald, 227 Cordovan Commons Parkway, Chesterfield, MO 63017, resident speaking in opposition to **P.Z. 6-2003: Villages at Kendall Bluff**;
 - Speaker expressed concern with the traffic and access, drainage and the number of trees to be eliminated.
4. Mr. Brian Calderwood, 2024 Meadowbrook Way Drive, Chesterfield, MO 63017, speaking neutral to **P.Z. 6-2003: Villages at Kendall Bluff**;
 - Speaker asked that the cemetery on the site be preserved.

5. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, attorney for and speaking in favor of **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**, **P.Z. 07-2003 Spirit Plaza LLC.** and **P.Z. 43-1999 SSM Health Care Central Region**;
 - Speaker stated that the petitioner is in favor of the proposed amendment but opposed to the condition that would eliminate an already approved access to Chesterfield Airport Road for **P.Z. 07-2003 Spirit Plaza LLC.**;
 - Speaker stated that he was present to answer questions on the time extension request for **P.Z. 43-1999 SSM Health Care Central Region**.
6. Mr. John Wagner, 17107 Chesterfield Airport Road, Chesterfield, MO, speaking in favor of **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**;
 - Speaker gave a power point presentation showing what is across from this site.
7. Ms. Anne Gillespie, 3708 Bear Creek Bluff Court, Wentzville, MO 63385, speaking in favor of **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**;
 - Speaker stated that she was present to answer questions;
 - Speaker stated that students at the University of Phoenix work during the day and go to school at night.
8. Mr. Ed Holthaus, One Andre Drive, St. Louis, MO 63131, petitioner and speaking in favor of **P.Z. 07-2003 Spirit Plaza LLC.**;
 - Speaker stated that the County has said that the additional lane (left turn lane onto Chesterfield Airport Road) will not be required until the intersection is signalized but the petitioner could just dedicate the right-of-way;
 - Speaker stated that dedicating the right-of-way will affect the greenspace percentage. The greenspace now is 30.2 % and with dedicating the right-of-way will be 28.2%. Speaker stated that he would like to change Attachment A to read that greenspace on Lot B shall not be less than 28%.
9. Mr. Brett Hardesty, 232 Chesterfield Industrial Boulevard, Chesterfield, MO 63005, speaking in favor of **P.Z. 07-2003 Spirit Plaza LLC.**;
 - Speaker stated that the cross access easement was provided for the benefit of Lot A and questioned what the logic would be to remove the access now.
10. Mr. Bob Brinkmann, 16650 Chesterfield Grove Road, Chesterfield, MO 63005, speaking in favor of **P.Z. 07-2003 Spirit Plaza LLC.**;
 - Speaker stated that he was present to answer questions.

11. Mr. Thomas Gerlach, 510 Baxter Road, Chesterfield, MO 63017, speaking in favor of **P.Z. 08-2003 14691 Clayton Road (Susan Daigle)**;

- Speaker stated that Susan Daigle is a current tenant of his and he was present to answer any questions concerning her business;
- Speaker stated that there has been discussion concerning rezoning her property and asked the Commission to approve this petition and the petitioner would begin the rezoning process.

12. Ms. Susan Daigle, 572 Malinmor, St. Charles, MO 63304, petitioner for **P.Z. 08-2003 14691 Clayton Road (Susan Daigle)**;

- Speaker stated that she would rezone this property to E-One Residence District if this CSP can keep moving forward for approval.

13. Mr. Albert Watters, 75 Midland, Maryland Heights, MO 63043, engineer for **P.Z. 08-2003 14691 Clayton Road (Susan Daigle)**;

- Speaker stated that he was present to answer questions;
- Speaker stated that the petitioner will be adding more plants to the site.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Conway on the Grove:** A Record Plat for a 4.3-acre Planned Environment Unit (PEU) in an “R3” 10,000 Square-foot Residence District located on the south side of Conway Road, east of August Hill on Conway, north of One Chesterfield Place.

Commissioner Wardlaw, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for **Conway on the Grove**. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 8 to 0.

- B. **Long Road Crossing:** Sign Package for an approximately 23-acre tract of land, zoned “PC” Planned Commercial District, located on the west side of Long Road, north of Chesterfield Airport Road.

Commissioner Wardlaw, on behalf of the Site Plan Committee, stated that a motion had been made in the Site Plan Committee to hold the Sign Package for **Long Road Crossing**. The motion was seconded by Commissioner Layton and **passes** by a voice vote of 8 to 0.

- C. **Sona Travel**: A Site Development Plan for a Commercial Service Procedure (CSP) on a 0.45-acre tract of land, zoned as an "R-2" 15,000 Square Foot Residence District, located on the south side of Olive Boulevard, west of River Valley Drive.

Commissioner Wardlaw, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan for **Sona Travel** with the following conditions: Reduce the parking to six (6) spaces and communicate to all the cognizant parties and the Fire District that the driveway be reduced to no more than 20 feet. The motion was seconded by Commissioner Layton and **passes by a voice vote of 8 to 0**. (This motion was amended from Site Plan Committee to read 'all cognizant parties' instead of 'Department of Public Works.')

- D. **Kumar Minor Record Plat**: a request for a minor record plat creating two (2) lots in an "R-3" Residence District located at the intersection of North Woods Mill Road and Beagle Lane.

Commissioner Wardlaw, on behalf of the Site Plan Committee, made a motion to approve the Minor Record Plat for **Kumar**. The motion was seconded by Commissioner Broemmer and **passes by a voice vote of 8 to 0**.

VIII. OLD BUSINESS -

- A. **P.Z. 6-2003: Villages at Kendall Bluff**: a request for a Planned Environment Unit (PEU) in a "R1A" Residential District for a 63.8 acre tract of land located on the north side of Olive Boulevard, east of Cordovan Commons Parkway and west of Old Riverwoods. Proposed Uses: Attached single family uses with accessory uses (Locator Number: 17R-53-0192)

Senior Planner Annissa McCaskill gave an overview of **P.Z. 6-2003: Villages at Kendall Bluff** and asked if the Commission had additional issues to be reviewed and addressed.

The following additional issues will be reviewed and addressed:

- Overlay of the Tree Stand Delineation on the preliminary development plan showing which trees are to remain and which trees will be removed and what the development will look like;
- Width of the tree buffer on the east side of the property (behind Lander property). The plan shows retaining existing trees but a portion of the property is grass;
- Tree Preservation Plan – what petitioner is preserving and what the tree coverage will be of the existing trees;
- Have the Department of Public Works review the letter from Mr. Lander's engineer;

- Comment from MoDOT concerning cross access to Ladue Road (through Villas at Ladue Bluffs to the traffic signal)
- Comment and a copy of the plan from the Fire District concerning a revised plan showing turn-arounds and shared access;
- Compare the traffic study for this development with the traffic study for Ladue Bluffs and compare the proposed intersection changes due to the traffic;
- Concern for level of service (AM Peak Hour at D level and PM Peak Hour at an F level) for southbound left turn out of the site;
- How the petitioner is proposing to construct the access drive with two (2) outbound and one (1) inbound lanes;
- Apply this petition to the Transportation Model.

Commissioner Macaluso made a motion to direct Staff to apply the Transportation Model to this site. The motion was seconded by Commissioner Broemmer.

General discussion followed concerning a traffic study for **P.Z. 6-2003: Villages at Kendall Bluff**.

Ms. McCaskill stated that the Department of Public Works is currently reviewing the traffic study for **P.Z. 6-2003: Villages at Kendall Bluff** and will provide comments based on their analysis.

Commissioner Macaluso amended her motion to direct Staff to apply the Transportation Model to this subdivision up to and including from 141 to the intersection of Chesterfield Parkway. The amended motion was accepted by Commissioner Broemmer and **passes by a voice vote of 8 to 0.**

Vice Chairman Banks stated that the following numbered issues from the Staff report have already been addressed: 1, 2, 3, 4, 9, 10, 11, 14 and 18.

Commissioner Macaluso stated that there still is an issue with #15 and the chain link fence.

Vice Chairman Banks stated that **P.Z. 6-2003: Villages at Kendall Bluff** would be held until all issues are reviewed and address.

Vice Chairman Banks called a recess at 8:45 p.m. and the meeting reconvened at 8:51 p.m. with all Commissioners present.

- B. P.Z. 07-2003 Spirit Plaza LLC:** A request to amend City of Chesterfield Ordinance 1382 for Lot 2 Chesterfield Industrial Park zoned “PI” Planned Industrial district located at the intersection of Chesterfield Airport Road and Chesterfield Industrial Boulevard.

The requested amendment is to allow the following permitted uses:

- (b) Animal hospitals, veterinary clinics, and kennels,
- (j) Business, professional, and technical training schools,
- (k) Business service establishments,
- (q) Financial institutions,
- (gg) Medical and dental offices,
- (ii) Offices or office buildings,
- (mm) Plumbing, electrical, air-conditioning and heating equipment sales, warehouse and repair facilities,
- (oo) Printing and duplicating services,
- (uu) Research facilities, professional and scientific laboratories including photographic processing laboratories used in conjunction therewith,
- (vv) Restaurants, fast food,
- (ww) Restaurants, sit down,
- (iii) Stores, shops, markets, service facilities and automatic vending machines in which goods or services of any kind, including indoor sale of motor vehicles, are offered for sale or hire to the general public on the premises.

The following uses listed above are further restricted:

- (q) Financial institutions, not including drive-thru facilities,
- (vv) Restaurants, fast food except those which provide drive-thru service,
- (ww) Restaurants, sit-down except those which provide drive-thru service.

The following uses listed above are excluded:

- (b) Animal hospitals and kennels,
- (ii) Office buildings,
- (mm) Warehouse facilities,
- (uu) Research facilities, professional and scientific laboratories,
- (iii) Indoor sale of motor vehicles.

Project Planner Mike Hurlbert gave an overview of this petition. Mr. Hurlbert stated that St. Louis County stated that the only access to the site would be from Chesterfield Industrial Boulevard which would negate the previously approved access to Chesterfield Airport Road by the County.

General discussion followed concerning the access.

City Attorney Beach stated that it is possible for the County to change their access if there is valid information to make a reasoned decision as to why there would now be a change but if there is a lack of information as to the reasoning for the decision, the Commission could change the decision.

Commissioner Macaluso made a motion to approve **P.Z. 07-2003 Spirit Plaza LLC.** with the following amendments to Attachment A:

- add the bold to page 3, IV. GENERAL CRITERIA – CONCEPT PLAN, A., 12. and page 4, V. GENERAL CRITERIA – SECTION PLANS, A., 14, ‘Provide the greenspace percentage for each lot on the plan. Greenspace is calculated by dividing the pervious surfaces by the site area (excluding right-of-ways) **with not less than 28% greenspace on Lot B.**’
- Delete the strikethrough on page 6, VII. SPECIFIC CRITERIA, A. 4. Access, d. ~~‘No direct access from Chesterfield Airport Road shall be allowed to this development.’~~
- Delete the strikethrough and add the bold to page 6, VII. SPECIFIC CRITERIA, A. 5. Public/Private Road Improvements, Including Sidewalks, b. ‘Provide the necessary right-of-way ~~and construct an additional lane~~, 12 feet wide and (minimum) 150 feet long on Chesterfield Industrial Boulevard, along with 30:1 through taper to existing pavement as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield.

The motion was seconded by Commissioner Layton.

General discussion followed concerning funding for the turn lane.

City Attorney Beach stated that traditionally when someone develops, the cost of turn lanes is at the developer’s cost and not the City’s. City Attorney Beach suggested the wording, “As directed by the City’s Department of Public Works at the developer’s cost,” to page 6, VII. SPECIFIC CRITERIA, A. 5. Public/Private Road Improvements, Including Sidewalks, b.

Commissioner Macaluso and Commissioner Layton accepted the above wording to their motion.

The amended motion, with City Attorney Beach’s wording, is as follows:

- Add the bold to page 3, IV. GENERAL CRITERIA – CONCEPT PLAN, A., 12. and page 4, V. GENERAL CRITERIA – SECTION PLANS, A., 14, ‘Provide the greenspace percentage for each lot on the plan. Greenspace is calculated by dividing the pervious surfaces by the site area (excluding right-of-ways) **with not less than 28% greenspace on Lot B.**’
- Delete the strikethrough on page 6, VII. SPECIFIC CRITERIA, A. 4. Access, d. ~~‘No direct access from Chesterfield Airport Road shall be allowed to this development.’~~
- Delete the strikethrough and add the bold to page 6, VII. SPECIFIC CRITERIA, A. 5. Public/Private Road Improvements, Including Sidewalks, b. ‘Provide the necessary right-of-way ~~and construct an additional lane~~, **at the developer’s cost**,

12 feet wide and (minimum) 150 feet long on Chesterfield Industrial Boulevard, along with 30:1 through taper to existing pavement as directed by the St. Louis County Department of Highways and Traffic and the City of Chesterfield's Department of Public Works.'

Upon a roll call the vote was as follows: Commissioner Broemmer, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Vice Chairman Banks, yes.

The motion, as amended, passes by a vote of 8 to 0.

- C. **P.Z. 08-2003 14691 Clayton Road (Susan Daigle)**: A request for a "Commercial Service Procedure" within an "NU" Non-Urban District for an approximately 1.0-acre tract of land located at 14691 Clayton Road (Locator Number: 21R-44-1504).

Project Planner David Bookless gave an overview of this petition and asked if the Commission had additional issues to be reviewed.

City Attorney Beach asked that Attachment A state that this site will be rezoned to E-One.

Vice Chairman Banks stated that **P.Z. 08-2003 14691 Clayton Road (Susan Daigle)** would be held until all issues were reviewed and addressed.

- D. **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)**: a request for an amendment to City of Chesterfield Ordinance 1660 for the addition of the following use located at 14755 North Outer Forty: Colleges and Universities

Senior Planner Annissa McCaskill gave an overview of this petition. Ms. McCaskill stated that she has added to Attachment A that the petitioner is willing to limit total occupancy for the University of Phoenix to no more than 45,000 square feet or 32% of the building. Ms. McCaskill stated that the petitioner requested that all light standards remain on until 10:30 p.m. but Attachment A, as written, states that all light standards, other than those for security purposes, shall be turned off by 9:00 p.m., seven (7) days a week. Ms. McCaskill stated that this would require the students and staff of the University to park on the two (2) below grade parking levels, which are lit.

Ms. McCaskill stated that Attachment A puts a limitation on the week-end hours from 8:00 a.m. to 4:00 p.m.

Commissioner Hirsch made a motion to remove **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)** from the table. The motion was seconded by Commissioner Layton and **passes** by a voice vote of 8 to 0.

Commissioner Layton made a motion to approve **P.Z. 9-2003 Opus Northwest (One Chesterfield Place)** with the Attachment A, as presented. The motion was seconded by Commissioner Perantoni.

Upon a roll call the vote was as follows: Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, no; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Commissioner Broemmer, yes; Vice Chairman Banks, yes.

The motion passes by a vote of 7 to 1.

IX. NEW BUSINESS -

- A. P.Z. 43-1999 SSM Health Care Central Region**; a request for an extension of time to submit a Site Development Plan as required by Chesterfield Ordinance Number 1823 for a "PC" Planned Commercial District located on South Outer Forty, with frontage on Chesterfield Parkway East, east of Clarkson Road/State Highway 340.

Senior Planner Annissa McCaskill gave an overview of **P.Z. 43-1999 SSM Health Care Central Region** and stated that the petitioner is requesting the time extension due to the market conditions.

Commissioner Broemmer made a motion to approve **P.Z. 43-1999 SSM Health Care Central Region** for the time extension of eighteen (18) months to submit a Site Development Plan. The motion was seconded by Commissioner Macaluso.

Upon a roll call the vote was as follows: Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O'Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Commissioner Broemmer, yes; Commissioner Hirsch, yes; Vice Chairman Banks, yes.

The motion passes by a vote of 8 to 0.

X. COMMITTEE REPORTS:

A. Committee of the Whole

Director of Planning Teresa Price stated that a Committee of the Whole meeting would be held Monday, September 29, 2003 at 5:30 p.m. in the Chambers.

B. Ordinance Review Committee

Committee Chairman Layton stated that an Ordinance Review Committee would be held Thursday, July 31, 2003 at 9:00 a.m. at City Hall. Committee Chairman Layton stated that Commercial Service Procedures (CSP's) would be on a future agenda for review particularly with parking and the possible coordination with the Fire District and Department of Public Works on width of driveways.

C. Architectural Review Committee

Committee Chairman Wardlaw stated that a meeting would be scheduled for the Architectural Review Committee.

D. Landscape Committee

Committee Chairman Macaluso stated that a meeting would be scheduled for the Landscape Committee.

E. Comprehensive Plan Committee

F. Procedures and Planning Committee

G. Landmarks Preservation Commission

The meeting was unanimously adjourned at 9:15 p.m.

B. G. Wardlaw, Secretary

