

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JULY 25, 2016**

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

I. ROLL CALL

PRESENT

ABSENT

Ms. Wendy Geckeler
Ms. Merrell Hansen
Ms. Allison Harris
Ms. Laura Lueking
Mr. John Marino
Ms. Debbie Midgley
Mr. Nathan Roach
Mr. Steven Wuennenberg
Chair Stanley Proctor

Mayor Bob Nation
Councilmember Dan Hurt, Council Liaison
Mr. Wesley Bell, representing Interim City Attorney Christopher Graville
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Justin Wyse, Senior Planner
Ms. Jessica Henry, Project Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Proctor acknowledged the attendance of Mayor Bob Nation; Councilmember Dan Hurt, Council Liaison; and Councilmember Guy Tilman, Ward II. He then introduced the City's two new Planning Commissioners - John Marino and Nathan Roach.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS – None

V. APPROVAL OF MEETING SUMMARY

Commissioner Lueking made a motion to approve the Meeting Summary of the July 11, 2016 Planning Commission Meeting. The motion was seconded by Commissioner Midgley and **passed** by a voice vote of 6 to 0. (*Commissioners Harris, Marino, and Roach abstained.*)

VI. PUBLIC COMMENT

The following Speakers, representing Petitioners, were available for questions and would be called upon later in the meeting, if necessary:

1. Ms. Teresa Crossland, Monsanto, 800 North Lindbergh Blvd., St. Louis, MO regarding **P.Z. 07-2015 Monsanto Chesterfield Campus**.
2. Mr. Byron Knowlson, Architect with Tesla Motors, 125 Seale Avenue, Palo Alto, CA regarding **P.Z. 10-2015 Kemp Auto Museum (16955 Chesterfield Airport Rd)**.
3. Mr. Bill Remis, Attorney with Doster, Ullom & Boyle, 16090 Swingley Ridge, Chesterfield, MO regarding **P.Z. 10-2015 Kemp Auto Museum (16955 Chesterfield Airport Rd)**.
4. Mr. Brandon A. Harp, Civil Engineering Design Consultants Inc., 11402 Gravois, St. Louis, MO regarding **P.Z. 14-2015 Friendship Village of West County (15201, 15239, 15249, 15255 Olive Blvd)**.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. **Chesterfield Commons, Lot 107 (Rock & Brews) SDSP**: An Amended Site Development Section Plan, Amended Architectural Elevations and Architect's Statement of Design for a 1.89 acre tract of land zoned "C-8" Planned Commercial District located on the south side of Chesterfield Airport Rd., east of Boone's Crossing.

Commissioner Wuennenberg, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Section Plan, Amended Architectural Elevations and Architect's Statement of Design for **Chesterfield Commons, Lot 107 (Rock & Brews)**. The motion was seconded by Commissioner Geckeler and **passed** by a voice vote of 9 to 0.

VIII. UNFINISHED BUSINESS

- A. **P.Z. 07-2015 Monsanto Chesterfield Campus (C8 to UC)**: A request for a zoning map amendment from "C8" Planned Commercial District to "UC" Urban Core District for a 200.2 acre tract of land located on the north side of Chesterfield Pkwy West, approximately 2,000 feet east of City Center Drive (17S210094, 17S230025, 17S230014, 17S230036 & 17S240057).

Chair Proctor stated that he would be recusing himself from discussion and vote on this petition as he is a former employee of Monsanto and currently receives retirement income from Monsanto. He then turned the meeting over to Vice-Chair Hansen.

Commissioner Harris also recused herself as her husband is an employee of Monsanto.

Staff Presentation:

Project Planner Jessica Henry stated that the applicant has requested the zoning map amendment in order to increase the existing permitted square footage for their ultimate campus build-out. The site is located within the Urban Core Land Use designation, which calls for the highest density development within the City.

A Public Hearing was held on this item on August 10, 2015 and since then, Staff has conducted additional review and analysis regarding access and requirements for the traffic component of the ordinance. This entailed several meetings with the Petitioner, MoDOT, St. Louis County, and City of Chesterfield traffic reviewers. The language resulting from those meetings is included in the proposed Attachment A.

At the Public Hearing, the following two issues were raised and have since been addressed:

1. *Clarification of proposed setbacks relative to West Drive, and*
2. *Height of proposed structures relative to residences off West Drive.*

Ms. Henry stated that the proposal complies with all requirements of the Unified Development Code and all the site-specific criteria established in the Attachment A. She then provided additional information as noted below.

Setbacks

The Preliminary Plan shows the structure and parking setbacks adjacent to West Drive range from 185 feet to 200 feet. In addition, no new buildings are proposed on the eastern portion of the site, which is currently undeveloped and heavily forested.

Height

The westernmost building will be the tallest on site at eight stories and 760 feet Mean Sea Level (MSL). The buildings located nearest to the existing buildings, on the eastern portion of the site, will range from one to five stories, which is consistent with the existing buildings.

Uses

No new uses have been requested in conjunction with this zoning request. The currently-permitted land uses of *research laboratory and facility* and *office, general* are being maintained and carried over into the new Urban Core ordinance.

Square Footage/Floor Area Ratio

A total of 4.8 million square feet of structures are proposed on the 200.2 acre site, which represents a .55 Floor Area Ratio and allowed under the Urban Core District standards. The current ordinance limits the site to 2.66 million square feet of development and a total of 2.1 million square feet of structures exist on the site, or are in the process of being constructed.

Recommended Language for Attachment A

Staff requests that the Attachment A be updated to reflect the Applicant's request of 760 feet Mean Sea Level, top of roof, for the westernmost building as shown on the Preliminary Plan.

Petitioner

Ms. Teresa Crossland of Monsanto stated they appreciate the Commission's consideration of the rezoning.

Discussion

Greenhouses

Commissioner Wuennenberg asked if plans for the greenhouses atop Building GG will include cover to keep the light from escaping into the sky. Ms. Crossland replied that these greenhouses will be glazed and screened.

Trail System

Councilmember Hurt stated that the City's Master Plan for a trail system includes going from City Hall to the levee, which requires going through a portion of Monsanto's site. While he recognizes that there are security issues with Monsanto, Councilmember Hurt noted that there is an access way to a water pump station on their site, which he thought could be utilized as part of the trail system without interfering with their security concerns. Ms. Crossland stated that Monsanto has both liability and strong security concerns with a trail going through their site but they could explore the possibility of putting in sidewalks along the perimeter of their site.

Commissioner Wuennenberg made a motion to approve P.Z. 07-2015 Monsanto Chesterfield Campus with a modification to the Attachment A to reflect a maximum height of eight stories or 760 feet MSL for the westernmost building as shown on the Preliminary Plan. The motion was seconded by Commissioner Geckeler.

Discussion on the Motion

Commissioner Lueking asked for confirmation that the structures near the residences along West Drive will not be more than 3-5 stories in height. Ms. Henry replied that the applicant will not be able to build above the maximum story and top-of-roof points shown on each building without requesting an amendment to the Preliminary Plan and opening the ordinance. The site is also at its maximum F.A.R. so there is no room for them to build taller on those buildings and achieve the density they are showing elsewhere on the site.

Upon roll call, the vote was as follows:

**Aye: Commissioner Lueking, Commissioner Marino
Commissioner Midgley, Commissioner Roach,
Commissioner Wuennenberg, Commissioner Geckeler,
Commissioner Hansen**

Nay: None

The motion passed by a vote of 7 to 0.

As noted previously, Chair Proctor and Commissioner Harris had recused themselves from the vote. Vice-Chair Hansen then turned the meeting back over to Chair Proctor.

- B. **P.Z. 10-2015 Kemp Auto Museum (16955 Chesterfield Airport Rd)**: A request for a zoning map amendment from a "PC" Planned Commercial District with a "MAA" Museum and Arts Overlay District to the new "PC" Planned Commercial District for a 5.104 acre tract located northeast of the intersection of Chesterfield Airport Road and Chesterfield Commons Drive (17T140211).

Staff Report

Project Planner Jessica Henry stated that a Public Hearing was held on this petition on November 23, 2015 with a subsequent Issues Meeting on May 23, 2016. The two issues raised at the Public Hearing were discussed at the Issues Meeting, but no new issues were identified at that time. Since the Issues Meeting, Staff has received a formal response to the outstanding issues regarding *Hours of Operation* and *Uses*.

Hours of operation for retail uses

The Petitioner has agreed to limit the hours of operation for retail uses to 6:00 a.m. to 11:00 p.m. This restriction is reflected in the draft Attachment A.

Uses

Several of the uses requested were discussed at the Public Hearing as potentially being inappropriate for the site and the surrounding area. While the Petitioner has agreed to eliminate several of the uses, they are still requesting the following uses be permitted:

- Automobile dealership
- Day care center
- Drive-through component for Financial Institution
- Vehicle repair and service facility

These uses have not been included in the draft Attachment A but the Planning Commission has the option of allowing any of these uses, if so desired. Staff is comfortable with inclusion of these uses in conjunction with the restrictive language drafted for the Commission's consideration.

Preliminary Plan

A revised Preliminary Plan has been submitted which allows for two lots. It was noted that only the existing Kemp Auto Museum building will remain and that a new building is proposed on the second lot.

With the addition of the second lot, cross access is provided across the entire site connecting the existing access from Chesterfield Airport Road to the adjacent Pacific Dental development.

As required by the Unified Development Code, a 30-foot landscape buffer is provided along the Chesterfield Airport Road frontage. A 30-foot landscape buffer is also provided along the I-64 frontage which tapers down to 20 feet to accommodate the existing access drive and site configuration. This modification was originally approved in 2003 and has been incorporated into the current Preliminary Plan.

A maximum height of 40 feet is being requested for the two proposed buildings, which is consistent with the surrounding area.

Petitioner

Mr. Bill Remis of Doster, Ullom & Boyle, and Mr. Byron Knowlson of Tesla Motors then provided additional information about the request.

Drive-through component for the Financial Institution use

Mr. Remis pointed out that most financial institutions include a drive-through component and felt it would be consistent with the area as there are a number of such facilities along Chesterfield Airport Road with Bank of America across the street from the subject site. They do not anticipate heavy traffic from the drive-through compared to what one would see from a fast-food drive-through.

Day care center

Mr. Remis indicated that while they feel the *day care center* use is compatible with the site, they are not opposed to eliminating it if the Commission has serious concerns about it.

Tesla Vehicle

Mr. Knowlson provided information about the Tesla vehicle noting that it is fully electrical with zero emissions and very little noise. All of the service is done indoors and no bodywork or paint is done on site. Sales typically entail test-driving, configuring vehicles, and ordering them. The vehicles are then delivered on-site and picked up by the customer. Mr. Knowlson also advised that old lithium-ion batteries used in the vehicles are returned to the factory to be refurbished; no work is done on batteries in the service center nor are they stored on-site.

Discussion

Automobile Dealership Use/Parking

Commissioner Hansen stated that the Commission had expressed concerns about the *automobile dealership* use for this site, specifically with respect to parking a large volume of automobiles on the lot.

Commissioner Midgley asked for information as to how many vehicles are usually on site at other Tesla dealerships. Mr. Knowlson stated that the number varies depending on the time of year; typically the largest volumes are at the end of each quarter when deliveries of 30-50 vehicles are made – the rest of the time, there are approximately 10 vehicles on site. In addition, the dealership usually keeps 2-3 vehicles available for test drives.

Because of aesthetic concerns, Commissioner Marino asked if it is necessary for all the parking spaces to be near Chesterfield Airport Road; and whether the parking spaces for storage could be divided up. Mr. Knowlson replied that they would want to keep all the vehicles at this site but they are open to reviewing as to where they would be located on the parking lot. The cars on site would be there for pick-up; not for browsing purposes from potential buyers so there is not a need to have them parked right up front.

To address this concern, Mr. Remis suggested language stating that: *Cars for pick-up or delivery would be limited to the northern portion of the parking field.*

It was the consensus of the Commission to accept this language along with Staff's recommended verbiage of:

"Automobile Dealership" shall be restricted as follows:

- a. *Outdoor sales and/or displays are permitted for electric vehicles only.*

Commissioner Wuennenberg then inquired as to the specific concerns of the Commission with respect to having cars on this particular piece of property. Commissioner Lueking stated that her concern is that this site has a Museum District Overlay, which allowed the setbacks to be lessened; in addition, the site is a very narrow strip making it difficult to “hide things”.

Mr. Remis stated that the site is set up for 100 cars for the dealership of which 20-25 spaces would be designated for demo cars and parking for employees and customers. This would leave 75 spaces available for delivery of pre-ordered vehicles, which could be kept away from Chesterfield Airport Road.

Commissioner Wuennenberg pointed out that since the site is not very big, a large dealership would not be interested in it for selling cars. Consequently, he recommended approving the *automobile dealership* use without any extra stipulations.

Attorney Wesley Bell recommended including language stating that *vehicles stored on site would be restricted to pre-ordered cars or cars used for test driving.*

After further discussion, Ms. Nassif summarized the three restrictions discussed thus far:

The above use “Automobile Dealership” shall be restricted as follows:

- a. Outdoor parking shall be permitted for electric vehicles which are pre-ordered or for test-drive only.
- b. Parking of vehicles shall be restricted to the northernmost portion of the parking field.
- c. No more than 75 vehicles would be on site at any time.

Mayor Nation questioned whether display vehicles for sale would all be in the indoor showroom. Mr. Knowles confirmed that all display vehicles would be indoors with the rare exception of a car that was delivered but no longer wanted by the buyer and who had forfeited his deposit.

Hours of Operation

Commissioner Lueking expressed concern about the hours of operation of 6:00 a.m. to 11:00 p.m. for all the requested uses and asked for information about the operating hours for other businesses in this area. Ms. Henry stated that the requested hours are consistent with the surrounding developments and then provided information on the adjacent developments as follows:

- Johnny Y Properties: 6am-11pm
- Pacific Dental: 6am-11pm
- Taubman: 6am-midnight
- Chesterfield Commons East: 6am-midnight Fri & Sat; 6am-11pm Sun-Thur

Vehicle Repair and Service Facility Use

It is Staff’s opinion that the use “*Vehicle Repair and Service Facility*” would be appropriate on the subject site with the following condition:

The above use "Vehicle Repair and Service Facility" shall be restricted to indoor use only and shall be permitted only in conjunction with the use "Automobile Dealership".

Drive-through Use

During the Public Hearing, it was recommended that no drive-through component be permitted for any of the uses on this site. While the Petitioner has eliminated the drive-through component from the *Drug Store and Pharmacy* use, they are requesting to maintain the drive-through component in conjunction with the *Financial Institution* use.

It was the consensus of the Commission to permit the drive-through component for the *Financial Institution* use but to eliminate it for the *Drug Store and Pharmacy* use.

Day Care Center Use

Commissioner Geckeler recommended eliminating the *Day Care Center* use as she does not feel the site is appropriate for such a use. She also pointed out that the applicant has indicated their willingness to eliminate this use.

The Commission indicated their consensus to eliminate the *day care center* use.

Motion

After additional discussion on the restrictions and additions to the Attachment A, Ms. Henry summarized the wording for a motion approving the petition with the stipulations agreed upon, as follows:

1. *Automobile Dealership* to be included in the Attachment A and restricted as follows:
 - a. Outdoor sales and/or displays are permitted for electric vehicles only.
 - b. Outdoor sales and/or displays for no more than 75 electric vehicles shall be permitted outdoors at any given time.
2. *Day care center* use is not to be included in the Attachment A.
3. *Drive-through* component to be added to the *Financial Institution* use.
4. *Vehicle Repair and Service Facility* to be included in the Attachment A and restricted to indoor use only and permitted only in conjunction with the use *Automobile Dealership*.
5. *Pharmacy Use* shall remain in the Attachment A but shall not include a drive-through component.

Commissioner Wuennenberg made a motion to approve P.Z. 10-2015 Kemp Auto Museum (16955 Chesterfield Airport Rd) as amended as noted above. The motion was seconded by Commissioner Hansen.

Upon roll call, the vote was as follows:

**Aye: Commissioner Harris, Commissioner Lueking,
Commissioner Marino, Commissioner Midgley,
Commissioner Roach, Commissioner Wuennenberg,
Commissioner Geckeler, Commissioner Hansen,
Chair Proctor**

Nay: None

The motion passed by a vote of 9 to 0.

- C. **P.Z. 14-2015 Friendship Village of West County (15201, 15239, 15249, 15255 Olive Blvd)**: A request to amend Conditional Use Permit (CUP) #36 to include additional area and to amend the use restrictions and other development conditions in an “R4” Residential District for a 36.7 acre tract of land at the northwest corner of Olive Boulevard and Arrowhead Estates Lane (17S320445, 18S640272, 18S640326, 18S640162).

It was noted that Justin Wyse would be presenting for Jonathan Raiche.

Staff Report

Senior Planner Justin Wyse reminded the Commission that three parcels of the Friendship Village campus were rezoned in October, 2015 from “NU” Non-Urban to “R4” Residence District, the same zoning district as the main Friendship Village campus bringing the total campus size to 36.7 acres

The Public Hearing for this petition was held in January, 2016 at which time several issues were raised. In response to those issues, the applicant has made substantial changes. Specifically, the applicant has reduced the density by decreasing the number of beds from 350 to 177, and the number of units from 550 to 395.

The applicant has confirmed that this redevelopment will be completed in phases, and as such, a higher number of beds and units will be needed during construction to accommodate the current residents to ensure a smooth transition into the new buildings. During this transition period, a maximum of 260 beds and 520 units will be needed but will then be reduced to 177 beds and 395 units. It was noted that even during the highest time of occupancy permitted under the proposed Conditional Use Permit, the development will at no time exceed the required densities of the “R-4” Residential District regulations specific for Nursing Homes.

Building Heights

In response to the Commission’s concerns with the four-story structures along the property line to the west adjacent to the Braefield Subdivision, the petitioner substantially re-designed the building layout and building heights throughout the development. The result of the re-design is that the lowest proposed building, a two-story skilled nursing facility, is located immediately adjacent to the homes in Braefield Subdivision.

The memory care facility located along Olive Boulevard will remain at four stories.

Inclusion of Braefield Homes in Cross Section

The petitioner has also provided a cross section profile within the plans which details both the four-story and two-story buildings, as well as the height of the Braefield homes adjacent to the subject property.

Construction Traffic

During the Public Hearing, concern was raised about construction traffic on the site. After review of the situation and discussions with MoDOT, Staff is comfortable that the City’s current regulations pertaining to construction access will adequately handle this site. In an additional effort to identify a potential alternative, the petitioner has received preliminary approval from MoDOT for the installation of a temporary construction entrance if the need arises for one.

Preservation of Monarch Tree #172

The Planning Commission requested the petitioner give consideration to the preservation of Tree #172 due to its status as a Monarch Tree. The petitioner has responded stating that due to the proximity of this specific tree to a proposed new building, Tree #172 will need to be removed.

Discussion

Councilmember Hurt pointed out that when the original zoning was put in place for Friendship Village, the parking was not adequate as this was prior to the City re-vamping its zoning laws. He then asked whether the parking ratios are now re-evaluated for the entire campus or just for the new sections. Mr. Wyse replied that Staff would be reviewing parking as each new building comes in for approval. As part of the Conditional Use Permit process, the City would not require additional parking to make them come into compliance. All of the existing buildings are considered "legal, non-conforming uses" if they do not meet the City's current standards.

Commissioner Wuennenberg made a motion to approve P.Z. 14-2015 Friendship Village of West County (15201, 15239, 15249, 15255 Olive Blvd). The motion was seconded by Commissioner Geckeler.

Upon roll call, the vote was as follows:

Aye: Commissioner Lueking, Commissioner Marino,
Commissioner Midgley, Commissioner Roach,
Commissioner Wuennenberg, Commissioner Geckeler,
Commissioner Hansen, Commissioner Harris,
Chair Proctor

Nay: None

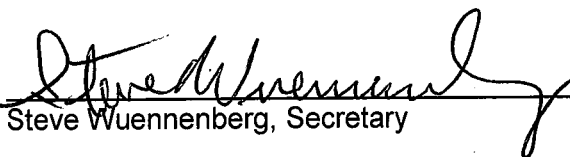
The motion passed by a vote of 9 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:12 p.m.



Steve Wuennenberg, Secretary