

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JULY 14, 2014**

The meeting was called to order at 7:05 p.m.

I. ROLL CALL

PRESENT

Ms. Wendy Geckeler
Ms. Fay Heidtbrink
Ms. Laura Lueking
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Steven Wuennenberg
Chair Michael Watson

ABSENT

Ms. Merrell Hansen

Councilmember Dan Hurt, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. John Boyer, Senior Planner
Mr. Jonathan Raiche, Senior Planner
Ms. Jessica Henry, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

Chair Watson acknowledged the attendance of Councilmember Dan Hurt, Council Liaison; and Councilmember Connie Fults, Ward IV.

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

- A. P.Z. 12-2014 Beckmann Properties (16625 & 16635 Old Chesterfield Rd):** A request for an amendment to City of Chesterfield Ordinance 2791 to add additional permitted uses within an existing “PI” Planned Industrial District (LPA) for a 1.95 acre tract of land located at 16625 and 16635 Old Chesterfield Road. (17T310379)

STAFF PRESENTATION:

Project Planner Jessica Henry gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Henry stated the following:

- All State and local Public Hearing notification requirements have been met.
- No changes, such as an increase in floor area or the addition of new buildings, are being proposed at this time; the request is only for an ordinance amendment to add additional uses.
- The site currently contains five buildings ranging in size from 150 sq. ft. to over 10,000 sq. ft. These buildings include an office and retail building, a warehouse, an old shop and pole barn with associated outdoor materials storage, and a storage building.
- The subject site is part of the original 21 acre tract of land platted in 1877 by Chesterfield founder, Christian Burkhardt. Several of the existing buildings date to the earliest development on the site and were used in conjunction with the railroad line.
- There have been several zoning petitions and amendments for this site over the years. The last amendment was approved in April 2014 which added *gymnasium* as a permitted use on the site.
- Prior to the first reading before City Council, the property owner started inquiring about adding more uses on the site. However, the property owner chose to not hold that petition as it had already advanced through the process to City Council and instead decided to submit a new petition for these additional uses, which is the petition before the Commission at this time.
- The Comprehensive Land Use Plan designates the subject site as *Urban Core* and states that *"Historic structures, districts, and sites should be preserved and protected and the City's historical heritage should be promoted where appropriate."*
- The Comp Plan also states that *"The Urban Core should be developed to contain the highest density of mixed-use development within the City of Chesterfield. It should serve as the physical and visual focus for the City and include both residential and commercial developments."*
- The subject area includes several different commercial zoning districts. As this area has historic significance to the City, the Landmark Preservation Area overlay was approved for several properties in this area in order to provide flexibility in development requirements and performance standards to encourage preservation of the existing structures and character of the area.
- Over time, the row of historic bungalows south of Old Chesterfield Road has been largely transformed into a commercial district to allow for small, low-intensity commercial uses. By encouraging a wide variety of uses, the LPA Overlay makes way for the adaptive re-use of buildings such as those found on the subject site. Many of these properties have benefitted from the flexibility in uses provided by the LPA Overlay and the structures on these sites have been able to remain in use.
- However, the northern side of Old Chesterfield Road, which is where the subject property is located, has not proven as easily transformable via adaptive re-use as the south side. Currently, the large corner parcel is vacant and void of buildings and the intensive Breckenridge Materials is currently used as a concrete batch plant.
- Since the intent of the LPA overlay is to provide flexibility in development requirements and performance standards to encourage preservation of the structures and character of the area, each of the requested uses, and particularly those with an outdoor component, should be carefully considered by the Commission to ensure that each use both fits with the LPA objective of preserving the character and conforms to the Comprehensive Plan's vision of the Urban Core as the *"physical and visual focus for the City."*

- This request was reviewed by the Chesterfield Historic and Landmarks Preservation Committee and they recommend that outdoor storage on the site be as minimal as possible and not visible from the roadway.

Below are the list of existing permitted uses and the list of proposed permitted uses.

Existing Permitted Uses

- | | |
|--|---|
| 1. Gymnasium; | 10. Sales, servicing, repairing, cleaning, renting, leasing and necessary outdoor storage of equipment and vehicles used by business, industry and agriculture; |
| 2. Business, professional, and technical training schools; | 11. Service facilities, studios or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists and stenographers, including cabinet makers, film processors, fishing tackle and bait shops and souvenir sales. Good and services associated with these uses may be sold or provided directly to the public on premises; |
| 3. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, excluding indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises; | 12. Warehousing, storage or wholesaling of manufactured commodities; |
| 4. Business service establishments; | 13. Or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings. |
| 5. Cafeterias for employees and guests only; | |
| 6. Laundries and dry cleaning plants, which include dry cleaning drop-off and pickup stations; | |
| 7. Offices or office buildings; | |
| 8. Plumbing, electrical, air conditioning and heating equipment sales, warehousing and repair facilities; | |
| 9. Restaurants, sit down; | |

Proposed Permitted Uses

- | | |
|--|---|
| 1. Administrative office for educational or religious facility | 12. Mail order sale warehouse |
| 2. Animal grooming service | 13. Office, Dental |
| 3. Automotive Detail Shop | 14. Office, Medical |
| 4. Bakery | 15. Professional and technical service facility |
| 5. Brewery | 16. Public safety facility |
| 6. Brewpub | 17. Self-storage facility |
| 7. Broadcasting Studio | 18. Sheet metal shop |
| 8. Educational Facility – Specialized Private Schools | 19. Union halls and hiring halls |
| 9. Kennel, Boarding | 20. Veterinary Clinic |
| 10. Kennel, Private | 21. Welding Shop |
| 11. Lumberyard | 22. Yard for storage of contractor's equipment, materials, and supplies |

Ms. Henry noted that some of the requested uses include industrial-type uses and outdoor storage uses, which represent a departure from what is currently permitted by ordinance. Several of the existing uses are restricted to be permitted only in “*conjunction with the*

buildings which were in existence at the time of passage of this ordinance.” Additional restrictions are in place for the maximum square footage and hours of operation for the site. If the Planning Commission chooses to approve the request for additional permitted uses, Staff recommends placing restrictions on the requested uses as well.

DISCUSSION

Commissioner Wuennenberg asked if the Petitioner is open to eliminating some of the outdoor storage uses. This question was directed to the Petitioner for later comment.

City Attorney Heggie noted that the City has some contractual rights to potentially rezone the nearby Doorack property to a Parks and Scenic designation and asked if such a rezoning would affect the subject Beckmann properties. Ms. Henry replied that there are a couple of properties in between these two sites so a rezoning would not affect either property other than the overall compatibility of the uses and the intent for the area.

Commissioner Geckeler noted that the Breckenridge and Doorack properties are not included in the LPA area and asked for information on how properties are brought into the LPA overlay. Ms. Nassif stated that when property owners request new uses, Staff encourages them to apply for the LPA overlay. The Chesterfield Historic and Landmark Preservation Committee also reaches out to property owners, but the City does not pursue the LPA overlay for property owners.

Chair Watson noted that the following uses could be both indoor and outdoor uses:

- Automotive Detail Shop
- Kennel, Boarding
- Kennel, Private
- Lumberyard
- Self-storage facility
- Sheet metal shop
- Welding shop
- Yard for storage of contractor's equipment, materials, and supplies

Chair Watson also pointed out that vehicles could potentially be stored outdoors with the uses of *Automotive Detail Shop* and *Yard for storage of contractor's equipment, materials, and supplies*.

PETITIONER'S PRESENTATION:

Mr. Gene Beckmann, 3740 Fort Knox Drive, Wentzville, MO stated the following:

- In 1999 when the property was rezoned to Planned Industrial, they lost the use of *Yard for storage of contractor's equipment, materials, and supplies* and they are now requesting that the use be permitted again for the site.
- They are requesting the use so that a landscape contractor could store mulch, dirt, and plants on the site for upcoming landscaping jobs.

DISCUSSION

Commissioner Lueking asked for a better screening of outdoor material – not just slats through a chain link fence as she does not feel it is appropriate for an historic district. Ms. Nassif suggested that the property owner come back with a proposed screening that is sight-proofed and compatible with an historic area.

Chair Watson felt that a restriction of *indoor only* should be applied to the following uses:

- Automotive Detail Shop
- Kennel, Boarding
- Kennel, Private
- Lumber Yard
- Self-storage facility
- Sheet metal shop
- Welding shop

Mr. Beckmann indicated his agreement with such a restriction.

Commissioner Nolan wanted to insure that cars are not parked outside all night in connection with an automotive detail shop. She also suggested some type of landscaping be included in the screening of outdoor storage to soften the appearance of any fencing.

Chair Watson would like a restriction placed on contractor's equipment so that large vehicles, such as backhoes and trenchers, are not sitting on the site.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:

Ms. Ruth Haussels, 16640 Old Chesterfield Road, Chesterfield, MO.

- Speaker stated she lives directly across from the Beckmann properties and is opposed to the *kennel* use. She noted that there are five residences in the area and is concerned that they would hear barking dogs on a 24/7 basis.

SPEAKERS – NEUTRAL:

Mr. John Javorek, 433 Willow Weald, Chesterfield, MO stated he has a few general questions pertaining to the request:

- Would the uses of *Brewery* and *Brewpub* pertain to a restaurant or bar? What would happen to any by-products or aroma generated from such uses?
- Would a *Broadcasting Studio* involve an antenna?
- Would a *Welding Shop* involve the storage of hazardous materials? What type of safety measures would be put in place for such storage?

Ms. Nassif responded to the issues raised by Ms. Haussels and Mr. Javorek:

1. Kennel use: Staff will talk with the applicant regarding any noise associated with such a use and ask if the applicant is amenable to removing this use.
2. Brewpub: The Brewpub would involve a restaurant/pub setting. Discussions will be held with the applicant as to whether they want to include this use and whether it should include any restrictions.
3. Brewery: This is more of a distillery use, which may not be appropriate for the site because of the size needed for such a use.
4. Broadcast studio and Welding Shop: Staff will also work with the applicant regarding the concerns raised regarding these two uses.

Mr. Beckmann will respond to the Commission with his final request and then there will be another meeting before a vote is taken on this petition. Ms. Henry is also available for any questions that anyone may have regarding this project.

ISSUES - Ms. Nassif summarized the concerns raised during the Public Hearing.

1. General use concerns
2. Screening of outdoor storage: To be historic in nature and compatible with the area. Should be sight-proofed and softened with landscaping.
3. Restrict several of the uses to indoor only.
4. If the automotive detail shop stays, insure that there is no overnight parking of cars.
5. Restrict the type of contractor's equipment to be stored on the site.
6. Noise from a dog kennel.
7. General concerns related to the uses of *brewery, brewpub, broadcast studio, and welding shop*.
8. Restricting the size of the storage area.

Commissioner Geckeler read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING SUMMARY

Commissioner Lueking made a motion to approve the Meeting Summary of the June 9, 2014 Planning Commission Meeting. The motion was seconded by Commissioner Proctor and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT

Arbors at Kehrs Mill SDP

1. Ms. Jeannie Aumiller, McBride and Son Homes, 16091 Swingley Ridge Road, Chesterfield, MO, representing the Petitioner, stated the following:
 - The rezoning was approved by the Commission unanimously and then by the Council last year.
 - The Site Development Plan includes 44 lots on 58 acres.
 - Benefits of the PUD include 6.12 acres of tree preservation, which is 40% of the site and 10% in excess of the City's requirement. There are over 20 acres of common ground, which is nearly 35% of the site, along with large buffers along the perimeters in excess of the City's requirements.
 - The proposed homes are a luxury product home.
 - Along with McBride and Son, Claymont Development will be building custom homes in the development.
 - McBride will be building on 28 lots and Claymont will be developing 16 lots.
2. Mr. Rusty Saunders, Loomis, 707 Spirit 40 Park Drive, Chesterfield, MO was available for questions.

P.Z. 01-2014 Chesterfield Valley NE Interchange (CVPBA III):

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO was available for questions.
2. Mr. Mike Doster, DosterUllom, 16090 Swingley Ridge Road, Chesterfield, MO passed on speaking.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. Arbors at Kehrs Mill SDP:** A Site Development Plan, Tree Preservation Plan, Tree Stand Delineation, Landscape Plan, and Architectural Elevations for a 58.149 acre tract of land zoned "PUD" Planned Unit Development located north of the intersection of Church Road and Strecker Road.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Site Development Plan, Tree Preservation Plan, Tree Stand Delineation, Landscape Plan, and Architectural Elevations for Arbors at Kehrs Mill with the condition that the added trees and plantings to the site are reviewed by Staff. The motion was seconded by Commissioner Lueking.

DISCUSSION

Commissioner Lueking asked for clarification regarding potential new elevations from Claymont Development. Ms. Nassif stated that the elevations will be submitted to Staff and if there are any deviations from the approved color palette or materials, they would be presented to the Commission for review.

The vote on the motion to approve passed by a voice vote of 8 to 0.

- B. Monarch Center:** A Site Development Concept Plan and Conceptual Landscape Plan for a 10.97 acre tract of land zoned "PC" Planned Commercial District located on the northeast corner of the intersection of Long Road and Edison Road.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Site Development Concept Plan, and Conceptual Landscape Plan for Monarch Center. The motion was seconded by Commissioner Wuennenberg.

Upon roll call, the vote was as follows:

Aye: Commissioner Proctor, Chair Watson

**Nay: Commissioner Geckeler, Commissioner Heidtbrink,
Commissioner Lueking, Commissioner Midgley,
Commissioner Nolan, Commissioner Wuennenberg,**

The motion to approve failed by a vote of 2 to 6.

- C. Monarch Center, Lots A & B (Edison Express):** A Site Development Section Plan, Landscape Plan, Lighting Plan, Architectural Elevations, and Architect's Statement of Design for a 3.13 acre tract of land zoned "PC" Planned Commercial District located on the northeast corner of the intersection of Long Road and Edison Road. Locator

Commissioner Nolan noted that discussion was not completed on this project during the previous Site Plan Committee meeting and asked Ms. Henry to continue with her presentation.

Ms. Henry stated that she had completed her presentation during the Site Plan Committee meeting and stated she was available for any questions.

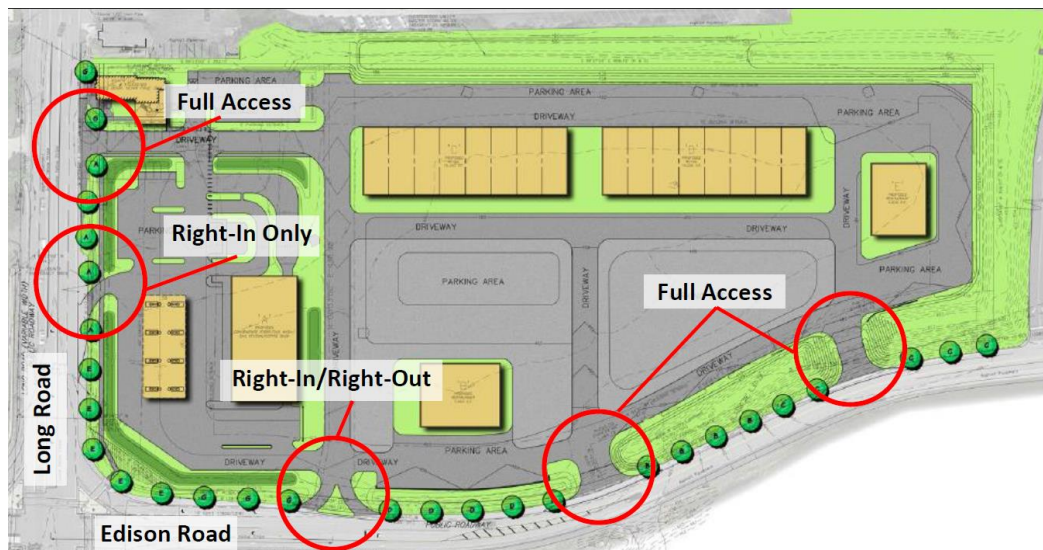
DISCUSSION

The following individuals, representing the applicant, responded to questions during the discussion portion of the meeting:

1. Mr. Chris Beard, Professional Traffic Operations Engineer, Lochmueller Group;
2. Mr. Brandon Harp, CDC, Principal Engineer for the site development portion of the design; and
3. Mr. Mace Nosovitch, owner/developer, 358 Shetland Valley Court, Chesterfield, MO.

Access

The following exhibit was presented for discussion purposes. The drawing is not a full representation of the open space, landscaping, or green space. It was presented to illustrate the access points only.



Referencing the area designated as *right-in/right-out*, Commissioner Wuennenberg asked if the island could be extended north past the entrance into the gas station to minimize the traffic congestion at that corner. Ms. Henry stated that from a site-design perspective, Staff would request input from MoDOT and the City's engineering staff. Ms. Nassif stated that the applicant would also need to review it as such a change could affect the internal circulation. The applicants were then invited to respond.

Mr. Chris Beard stated they do not believe an extension to the island is necessary as the driveways are configured for right-turns only so they do not anticipate any delays turning in or out of the site. The outbound movement is the one that would create issues for people coming into the right and wanting to make a left into the site; but the outbound movement will have no more than 50 cars in an hour – about 1 vehicle/minute at most. They are showing delays of the right-turn out averaging 10 seconds/car so they do not anticipate any queue that would back into the site that would prevent someone from coming in and making the immediate left into the site.

Councilmember Hurt noted his agreement with Commissioner Wuennenberg's suggestion to extend the triangular island to the lanes. This would encourage drivers to use the lanes as they are intended to be used. Mr. Harp did not feel this would be difficult to accomplish.

Internal Circulation

Chair Watson asked for information on the internal circulation. Mr. Beard stated that a cursory review of internal circulation was done and they found the circulation to be fine; they do not anticipate any issues with the ingress driveways. He went on to say that the site has circulation around a main pump island and then access into the circulation area from the north, east, and west. It may appear that the area around the parking stalls in the northwest portion of the site may have some circulation issues but there will not be a lot of traffic entering that area. These parking spaces will be mainly used by employees while most of the customers will be utilizing parking in front.

Mr. Brandon Harp stated that while the coffee shop is only 1,000 sq. ft. in size, the City required that the site be parked at 15 spaces/1,000 sq. ft. which they feel is highly over-parked for this type of use. The stacking does meet the City's requirement for the drive-thru. There is a double lane for the car wash so there is twice the stacking required by the City. When cars exit the car wash, they are parked in one of the vacuum stations so they do not exit and conflict with traffic on the east/west drive on the south end of the site. From that point, the cars will enter into the on-site circulation.

Trash Dumpster Location

Mr. Harp stated that the proposed location for the dumpster is in an area where the cars are coming out of the tunnel wash and immediately going west into the vacuum stations. The trash pick-up will be once or twice per week and will last 15-30 seconds so they do not see any impact. When the trash truck is parked while loading the trash, it is not in conflict with the east/west lane on the south side of the site.

Car Wash

Commissioner Midgley asked for information about the car wash. Mr. Mace Nosovitch described the circulation of the site from Edison Road to the car wash. He stated that the vehicle would be loaded onto a conveyor by an employee in order to enter the car wash. Car wash customers would wait for their vehicles inside the building.

Commissioner Midgley felt there was "too much density" that a vehicle is passing through to get to the car wash. Mr. Nosovitch referred to other similar sites in the area (*Mobile on the Run, Country Club Car Wash, and McDonald's BP*) where he feels the circulation is functioning well.

Circulation for Entire Site

Commissioner Lueking pointed out that there will be additional future development on this site that will affect the circulation. Mr. Harp stated that they have submitted a site development concept plan, which shows the overall development. The plan shows two full access points onto Edison, along with one right-in/right-out only access onto Edison. There is also a shared cross access on the northern part of the site.

Commissioner Lueking expressed concern about the walkability of the site noting that there are sidewalks along Long Road that have to cross, and then continue after, three or four major access points. She also has concern about the vehicular movement, the large

amount of asphalt, and the small amount of green space on the site. Mr. Harp responded that there are green space and trees located on the sides of the parking; they have exceeded the zoning setbacks along both Long Road and Edison Road to provide more plantings; they have a widened internal landscape island; there is another large landscaped island in the patio area; another landscape island separates the two drive-thrus; and there is a significant amount of landscape around the entire perimeter.

ATM

Chair Watson asked if the ATM is double-sided. Mr. Harp stated that the ATM is one-sided and flows with the thru-traffic.

Chair Watson pointed out that other similar sites have the ATM inside the building.

Point of Clarification

Commissioner Lueking clarified that the Planning Commission did not unanimously approve the initial zoning of the site – she voted against it due to the number of access points and the density of the site.

Outdoor Patio

Mr. Harp stated that the site includes an outdoor patio that is completely enclosed with ornamental fencing.

Commissioner Nolan expressed concern about pedestrian safety whereby pedestrians will be walking across a drive-thru lane to access the patio. Mr. Harp explained that it is very typical for a fast-food restaurant to have a one-way circulation around the building so pedestrians cross such drive-thrus all the time to get to parking and patios. They intend to have an identified crosswalk and stop sign in this area.

Commissioner Proctor felt it was “highly unusual to have a dining area detached from the building”. He too expressed concerns about the safety aspects of this area for pedestrians. Mr. Nosovitch pointed out that the proposed donut shop will not be as busy as a fast-food restaurant and does not think there is a safety concern. Mr. Harp stated that the cars in the drive-thru lane will have a stopped condition at the window; in addition there will be a stop sign and pedestrian crossing signage that will provide safe pedestrian crossing.

Commissioner Nolan inquired as to the height of the proposed fencing around the patio area. Mr. Harp replied that the fencing will be 42” tall with landscaping that requires the pedestrians to walk down to the tip of the peninsula and to cross nowhere but at the crosswalk. The landscaping in this area will be kept low to provide proper sight lines.

Commissioner Proctor asked what other locations the applicant had considered for the outdoor patio and why they were turned down. Mr. Nosovitch indicated that they had considered only one other location for the patio which would have been in front of the building; it was decided not to go in that area in order to have a larger area for the patio for more people to enjoy.

Commissioner Midgley suggested a latch on the gate to slow down small children who may otherwise exit the patio area without an adult.

City Attorney Heggie then asked Ms. Nassif to explain what the ordinance allows in terms of an outdoor area for this site. Ms. Nassif explained that the ordinance was created in

2006 and includes the requirement of *an outdoor pedestrian area* but does not dictate the location or size of such an area. Nor does the ordinance dictate the type of use associated for the outdoor pedestrian area.

City Attorney Heggie asked if the required outdoor pedestrian area could be moved to the public art area. Mr. Harp indicated that the public art area was not considered as they felt it was appropriate to have it in an area immediately accessible from the donut shop or car wash area.

City Attorney Heggie stated that the Commission has expressed safety concerns about pedestrians crossing a drive-thru lane and felt that the ordinance allows for other alternatives for the outdoor pedestrian area. Mr. Harp agreed that there are other areas that could be considered but felt that for safety reasons, it should be immediately adjacent to the building and not across the parking lot or drive lanes. When they looked at the area in front of the building, it was determined that the area would be rather small and would take up a couple of parking spaces near the door. The proposed area allows the opportunity to create a much larger patio that would allow 4-6 tables. But they are open to considering other areas of the site.

City Attorney Heggie noted that when the rezoning petition was presented, both the Commission and Council had serious concerns as to whether the site could successfully be parked and developed. It now appears that these concerns are still valid. He suggested that the applicant hold the site development section plan and resubmit an amended plan.

Mr. Nosovitch then pointed out that the customer waiting area for the car wash includes outdoor seating and an awning, which may meet the ordinance requirements for an outdoor pedestrian area.

RECESS

Chair Watson then called for a five-minute recess at 8:38 p.m.

When the meeting re-convened, Chair Watson asked if there were any additional questions or comments for the petitioners.

Mr. Harp asked for a continuation to work with Staff to address the comments and concerns raised during the meeting. City Attorney Heggie recommended that the petitioners amend the plans and then bring back the Site Development Concept Plan and Site Development Section Plan.

Commissioner Lueking made a motion to hold Monarch Center, Lots A & B (Edison Express) and to allow the Petitioner to resubmit amended plans for the Site Development Concept Plan and the Site Development Section Plan. The motion was seconded by Commissioner Proctor and **passed by a voice vote of 8 to 0.**

VIII. OLD BUSINESS

- A. P.Z. 01-2014 Chesterfield Valley NE Interchange (CVPBA III):** A request for an amendment to Ordinance 2715 to modify development conditions for a 6.172 acre tract of land zoned "PC" Planned Commercial District located north of US Highway 40/Interstate 64 and immediately east of its intersection with Boone's Crossing (17U620172 & 17U620183).

Senior Planner Jonathan Raiche stated that the Public Hearing for this petition was held on February 24, 2014.

The request is a three-fold request:

1. To change development criteria to accommodate three total lots rather than the two that are currently allowed;
2. To allow for the addition of a second access point on North Outer 40 Road, which would be right-in only; and
3. To reduce structure setbacks on three sides of Lot 1.

Access Management

Historically, the owner of this site has attempted to request a second access drive on North Outer 40 Road but the drive was removed from the request prior to the vote occurring. The current request does meet the City's Driveway Access Location & Design Standards and does limit access to right-in only traffic with a deceleration lane provided. This roadway is under jurisdiction of St Louis County, and the County's Department of Highways & Traffic has provided approval of this configuration.

Setback Reduction

The reductions requested will provide for more flexibility for developing Lot 1 to allow for a total of three lots. While some of the setback reductions are substantial, the current requirements were not a result of City Code or of Staff recommendation, but rather were put in place to match the previous preliminary plan's proposed building in 2006. When the last plan was submitted, the City's process for Preliminary Plan approval process required more detail and used these details to determine items such as setback requirements. A copy of the 2006 Preliminary Plan is included in the meeting packet to illustrate this fact. The existing building on this site was completed in 2007 and the site has not seen additional development since that time. In developments that have a delay in full build-out, such as this one, a setback request to accommodate a tenant is common.

Conclusion

Staff has reviewed the request for an ordinance amendment and has found that all of the requests are compliant with City Code. An Attachment A has been drafted reflecting these requests.

Commissioner Wuennenberg made a motion to approve P.Z. 01-2014 Chesterfield Valley NE Interchange (CVPBA III). The motion was seconded by Commissioner Nolan.

DISCUSSION

Commissioner Wuennenberg asked for confirmation that there would be *Do Not Enter* signs to keep vehicles from entering the one-way street. Ms. Nassif confirmed that such signs would be posted and added that this is a one-way street with a deceleration right-in lane only. Egress is not allowed from this lane.

Commissioner Lueking pointed out that the reason the extra access was denied in the original zoning was because it was two lanes and now it has been widened to four lanes; a lane has now also been provided for a right-in only. Ms. Nassif added that at that time the outer road was owned and maintained by MoDOT and they would not permit a curb cut in this area. Additionally, the road improvements that exist today were not in existence at that time.

Commissioner Lueking asked for clarification that when the site was originally approved for two buildings, the total square footage was more than the square footage now being proposed for three buildings. Ms. Nassif stated that the allowed square footage is 89,000 sq. ft. and that entitlement is not changing; but what is now being requested with the three buildings will fall below 89,000 sq. ft.

Commissioner Geckeler asked for confirmation that if the right-in only was not allowed, the site could still be developed with the two additional buildings. Mr. Stock confirmed that the two additional buildings, for a total of three on the site, could be constructed without the right-in only.

Upon roll call, the vote to approve was as follows:

**Aye: Commissioner Midgley, Commissioner Nolan,
Commissioner Proctor, Commissioner Wuennenberg,
Commissioner Heidtbrink, Commissioner Lueking,
Chair Watson**

Nay: Commissioner Geckeler,

The motion passed by a vote of 7 to 1.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS

Ms. Nassif reported that Chair Watson has completed the Committee assignments for the year as noted below:

Comprehensive Plan Committee

Commissioner Wuennenberg, Chair

All members of the Commission are assigned to this Committee

Ordinance Review Committee

Commissioner Nolan, Chair

Commissioner Hansen

Commissioner Proctor

Commissioner Watson

All members of the Commission are welcome to attend Committee meetings.

XI. ADJOURNMENT

The meeting adjourned at 8:55 p.m.

Steve Wuennenberg, Secretary