

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
June 28, 2004**

The meeting was called to order at 7:03 p.m.

I. PRESENT

Mr. Fred Broemmer
Dr. Maurice L. Hirsch, Jr.
Mr. Dan Layton, Jr.
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. B. G. Wardlaw
Chairman Victoria Sherman
City Attorney Doug Beach
Mr. Bruce Geiger, Planning & Zoning Committee Liaison
Ms. Teresa Price, Director of Planning
Mr. Kyle Dubbert, Project Planner
Mr. Michael Hurlbert, Project Planner
Ms. Aimee Nassif, Project Planner
Ms. Christine Smith Ross, Project Planner
Ms. Mary Ann Madden, Planning Assistant

ABSENT

Mr. David Banks
Ms. Stephanie Macaluso

II. INVOCATION: Commissioner O'Connor

III. PLEDGE OF ALLEGIANCE

Chairman Sherman acknowledged the attendance of Bruce Geiger, Planning & Zoning Committee Liaison (Ward II) and City Attorney Doug Beach.

Commissioner Perantoni read the 'Opening Comments' for Public Hearings.

IV. PUBLIC HEARINGS

- A. P.Z. 14-2004 Delmar Gardens:** A request for the following amendments to City of Chesterfield Ordinance 1806 for a 8.48 acre "PC" Planned Commercial District located on the north side of North Outer 40 Road, east of Delmar Gardens at 14825 and 14805 North Outer 40 Road. (18S320194):
Proposed uses: Medical and dental office and Parking structure.

Project Planner Aimee Nassif gave a power point presentation showing an overview of the subject site and photos of the area. Ms. Nassif referred to the following issues identified by Staff:

- **Parking**
 - o The current parking required for this site is 4 spaces for every 1000 sq. ft.
 - o Parking for the Zoning Ordinance for Medical and Dental Office Use is 4½ spaces for every 1000 sq. ft. or 4 spaces for every doctor and 1 space for every additional employee, whichever is greater.
 - o The Petitioner has submitted new parking plans, which adhere to the standard.
- **Green Space**
 - o The green space required for this site is a minimum of 45%.
 - o The Petitioner does meet this requirement.

1. John King, 168 North Meramec, Clayton, Missouri 63105, attorney for the Petitioner, Delmar Gardens, stated the following:

- Two years ago, the Planning Commission and the City Council approved a Planned Commercial Ordinance, which allowed two buildings to be constructed on this site – each building being a total of 60,000 sq. ft.
- The eastern-most building is the one being built for Delmar Gardens.
- The western-most building is a medical building to be used by the St. Louis Orthopedic Group.
- The Petitioner is requesting an amendment to allow for the medical office building and to allow for a small parking structure.
- With a medical use building, 504 parking spaces are required. The current parking, along with the proposed parking structure, would accommodate 530 parking spaces.
- The doctors will be in the building from 7:00 a.m. to 6:00 p.m., Monday through Friday. The rehabilitation facility will be open on Saturdays.

2. Larry Milles, Nine Sunnen Drive, St. Louis, Missouri 63141, architect with Gray Design Group, gave a presentation on the proposed development showing the following:

- A covered entrance to the medical building.
- Landscape upgrades.
- Two different shades of pre-cast concrete as the building skin.
- Tinted reflective glass.
- Polished granite at the base of the buildings.
- The parking level of the proposed parking structure is 6-8 ft. below the grade of the Hayden Homes.
- The tops of the light fixtures are constant throughout the project.

3. Douglas DeLong, landscape architect with Loomis Associates, gave a presentation on the landscape plan and stated the following:
 - Twenty-four additional evergreens (White Pine and Norway Spruce) were added along the north buffer area on the residential portion of the property to help screen the residents from the office building and the proposed parking deck.

Commissioner O'Connor asked how many cars would fit in the half-circled entrance area.

Mr. King responded that 3-4 cars could fit in this area – but not all of them would fit under the covered portion.

Commissioner Hirsch asked if there would be any effort to reserve spaces near the building for patients of the orthopedic practice.

Mr. King responded that the proposal has the required handicapped parking spaces and that adding additional spaces for the orthopedic practice could be reviewed.

Commissioner Hirsch asked how the traffic impact from a medical building would be different than that from an office building.

Chairman Sherman stated that this would be added to the Issues for this project.

Mr. Geiger asked why more parking spaces are being built than what is required.

Mr. King replied that 5 parking spaces will be lost to accommodate an access easement that has been granted to the Sachs Properties. The additional spaces could possibly be used as extra handicapped parking.

SPEAKERS IN FAVOR:

1. Mr. Dennis M. Hayden, 7 The Pines Court, Chesterfield, Missouri 63141, representing Hayden Homes and the Homeowners Association for Belle Monte Road Subdivision and August Hill on Conway, stated the following:
 - There is an excellent working relationship with Delmar Gardens regarding the proposed project.
 - A meeting was held May 20, 2004 with the residents of Belle Monte Road Subdivision and the Petitioner.
 - The changes proposed by the Petitioner are supported with the following conditions:
 - o That amending the zoning to include medical and dental office and parking structure does not permit revisions beyond the limits proposed to the site without an additional zoning petition and public hearing.
 - o That the parking lot lighting levels be reduced after normal business hours to accommodate security and emergency use only.

- o That the light fixtures be housed to direct light down on to the parking deck and not on the surrounding property, and that the fixture filament is protected from normal views from the homes of Belle Monte Road and August Hill on Conway Subdivision.
- o That Delmar Gardens makes arrangements to have all the proposed landscaping on the Belle Monte Road Subdivision property planted within a 45-day time period of the Ordinance authorizing the zoning amendment.

Mr. King stated that the Petitioner is in agreement with the conditions outlined by Mr. Hayden with the exception that the landscaping may not be able to be completed within a 45-day time period if it is the wrong time of year for planting.

ISSUES:

Ms. Nassif, Project Planner, took note of the following Issues:

- Impact on traffic – the number of cars coming in and out throughout the day with the new parking structure.
- Whether there are reserved/handicapped spaces for patients of the orthopedic practice.
- Review the traffic circulation at the entrance/drop-off area as to how traffic will flow in both directions.
- Inclusion of the conditions outlined by Mr. Hayden.
- Water drainage – what happens, where is it detained?
- Whether any medical waste is generated from this facility. And if so, how is it handled?
- Review the sun reflection off the glass with respect to how the buildings are facing the highway.
- Review the height of the towers at the corner of the parking garage.
- Review the protrusions above the roofline as to how they play into the overall picture.
- Review the walkway from the parking structure to the building.

Commissioner Perantoni read the closing comments for Public Hearing P.Z. 14-2004.

V. APPROVAL OF MEETING MINUTES

The minutes of the June 14, 2004 Planning Commission Meeting were approved, as amended, **by a voice vote of 7 to 0.**

VI. PUBLIC COMMENT

1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO 63005 speaking in favor of **P.Z. 8-2004 Bull Moose Tube** went over the history of the site, pointing out the following:
 - The site was originally zoned “NU” and was zoned to “C-8” Planned Commercial in January, 1985 by St. Louis County.
 - In that zoning ordinance, medical and dental use was not listed as a permitted use.
 - A request was made in St. Louis County to add medical and dental uses.
 - In April, 1988, an ordinance was passed by St. Louis County, which did not include medical or dental use.
 - A request was presented to the City of Chesterfield, approved in January, 1994, to increase the total square footage of the site from 82,500 sq. ft. to 90,000 sq. ft. This request was approved.
 - Minutes from the Planning Commission of December 13, 1993 state:
“The origin of the comment regarding no research labs, medical and dental office and banks was discussed. Medical offices require a greater amount of parking than normal office uses and traffic is impacted differently by various types of office uses.”
 - The present proposal would allow for a decrease in square footage to 78,500 sq. ft. and an elimination of the parking structure.
2. Mr. Mike Dustman, Vice President with Bull Moose Tube Company, 1819 Clarkson Road, Chesterfield, MO 63017 speaking in favor of **P.Z. 8-2004 Bull Moose Tube** stated the following:
 - Regarding the adequacy of the parking spaces for the existing facility, the requirement is for 137 spaces – 140 spaces are provided.
 - From a building occupancy perspective, the building is occupied fully except for about 800 sq. ft.
3. Mr. George Stock, 257 Chesterfield Business Parkway, Chesterfield, MO 63005 speaking in favor of **P.Z. 8-2004 Bull Moose Tube** stated the following:
 - There is one minor change that needs to be made to the drawing with Monarch Fire relative to a radius.
 - The access point issue with MoDot is under review by the City’s Public Works Department.
4. Mr. Rick Clawson, an architect with ACI Boland Architects, 11477 Olde Cabin Road, St. Louis, MO 63141 speaking in favor of **P.Z. 8-2004 Bull Moose Tube** stated the following:
 - Monarch Fire requires a minimum of a 13.6 ft. clear below the canopy for their access – the proposal includes a 14 ft clear below the canopy.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **Chesterfield Business Park:** Amended Site Development Concept Plan for a 20.23-acre tract of land, zoned “PI” Planned Industrial District, located on the west side of Long Road, north of Edison Road.

Commissioner Wardlaw, representing the Site Plan Committee, made a motion to approve the Amended Site Development Concept Plan as presented. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 7 to 0.

- B. **Chesterfield Business Park, Lots 7A & 7B:** Site Development Section Plan, Architectural Elevations, and Landscape Plan for two office buildings on a 2.15-acre tract of land, zoned “PI” Planned Industrial District, located on the west side of Chesterfield Business Parkway, north of Edison Road.

Commissioner Wardlaw, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations and Landscape Plan as presented. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 7 to 0.

- C. **Chesterfield Business Park Lots 7A & 7B:** A Record Plat for a 2.15-acre tract of land in a “PI” Planned Industrial District located on Chesterfield Business Parkway in a subdivision known as “Chesterfield Business Park.”

Commissioner Wardlaw, representing the Site Plan Committee, made a motion to approve the Record Plat as presented. The motion was seconded by Commissioner Broemmer and **passes** by a voice vote of 7 to 0.

- D. **Spirit of St. Louis Airpark (Jetcorp) Office/Warehouse/Hangar:** Amended Site Development Section Plan for an addition to an existing office/warehouse/hanger in Spirit Airpark, zoned “M-3” Planned Industrial located south of Edison Road, west of Turbine Ave.

Commissioner Wardlaw, representing the Site Plan Committee, made a motion to approve the Amended Site Development Section Plan as presented. The motion was seconded by Commissioner Perantoni and **passes** by a voice vote of 7 to 0.

VIII. OLD BUSINESS

- A. **P.Z. 03-2004 City of Chesterfield (Home Occupation):** A request to amend Section 1003.020 of the Zoning Ordinance to allow for a new definition for Home Occupation and Section 1003.167 Miscellaneous Regulations of the Zoning Ordinance to allow for new criteria.

Project Planner Aimee Nassif stated that a Public Hearing was held on April 26, 2004 and that the Issues which arose from the last Planning Commission Meeting are addressed in the Issues Report.

Discussion was held regarding the possibility of giving a copy of the Home Occupation Ordinance to new homeowners to make them aware that a home occupation business could be opened in their area.

Commissioner Hirsch made a motion to accept P.Z. 03-2004 with the following amendments to the Attachment A:

- Under **Definitions:**
Change from:
*“...and occupies no more than 25% of the **existing outbuilding** ...”*
Change to:
*... and occupies no more than 25% of the **residence** ...”*
- Under **Home Occupation:**
Insert:
*“The development criteria for home occupation shall adhere to the **standards** set forth by Table 1 below.”*
- Under **Use of structure:**
Change from:
*“The home occupation **occupies** no more than 25% of the residence...”*
Change to:
*“The home occupation **shall occupy** no more than 25% of the residence...”*
- Under **Commercial vehicles:**
Change from:
*“One (1) commercial vehicle, which is also used **for the residence** ...”*
Change to:
*“One (1) commercial vehicle, which is also used **by the resident** ...”*
- Under **Exterior of structure:**
Delete:
“Equipment or tools used for the home occupation may be kept outside during home occupation business hours.”
- Under **Customers:**
Change the word “**Customers**” in the heading to “**Patrons**”.
Eliminate the word “**customers**” in the text.
- Under **Hours:**
Eliminate the word “**customers**”.

The motion was seconded by Commissioner Wardlaw.

Upon roll call, the vote was as follows:

Yes: Commissioner Broemmer, Commissioner Hirsch, Commissioner Layton, Commissioner Perantoni, Commissioner Wardlaw, Chairman Sherman

No: Commissioner O'Connor

The motion passes by a vote of 6 to 1.

B. P.Z. 05-2004 Kemp Foundation: A request for a Museum Arts Area (MAA) overlay for a 5.104-acre "PC" Planned Commercial District, located north of Chesterfield Airport Road, west of Baxter. (Locator Number 17T23-0091).

Project Planner Christine Smith Ross stated that a Public Hearing was held on May 10, 2004 and an Issues Meeting was held on June 14, 2004. Two Issues have been raised on this project:

- Visibility from Highway 40, which is addressed by photographs in the Issues Report.
- Possibility of increasing the height of the trees to more closely match the height of the proposed 16 ft. wicket structures. The response from the Petitioner is a letter from their Landscaper indicating that they will get stronger tree growth by using a smaller tree, which would not be in shock as long.

Commissioner Wardlaw made a motion to accept the Museum Arts Area Overlay as presented with the Attachment A. The motion was seconded by Commissioner Layton.

Upon roll call, the vote was as follows:

Yes: Commissioner Broemmer, Commissioner Hirsch, Commissioner Layton, Commissioner O'Connor, Commissioner Perantoni, Commissioner Wardlaw, Chairman Sherman

No: None

The motion passes by a vote of 7 to 0.

C. P.Z. 08-2004 Bull Moose Tube: A request to amend the City of Chesterfield Ordinance 1218 for Bull Moose Tube Holdings, Inc., zoned "C-8" Planned Commercial district located at the west side of Clarkson Road, south of Baxter Road and north of Forest Meadows Drive at 1815, 1819 and 1855 Clarkson Road. (Locator Numbers 19T 34 0345, 19T 34 0367, 19T 32 0468)

Project Planner Kyle Dubbert asked if there were any additional Issues to be added for this project. The following Issues were added by the Commission:

- The history of the site presented by Mr. Doster should be included in the Department's report.
- The history of traffic studies should be included and when they were last updated.
- Information presented about the entrance – the possibility of it being moved and MoDot's concerns.
- Any background available as to why the medical use was denied.
- How traffic would be affected if medical use is added.

D. P.Z. 11-2004 City of Chesterfield (Kennel): A request to amend Section 1003.020 of the Zoning Ordinance to allow for a new definition of Kennel.

Project Planner Aimee Nassif stated that a Public Hearing was held on May 10, 2004. Staff has addressed the Issues of clarification between "boarding kennels" and "private kennels" in the Issues Report by adhering to the definitions and regulations used by the Department of Agriculture.

City Attorney Doug Beach suggested the following change be made to the proposed Attachment A.

- Under **(102) Kennel, private:**
Delete:
"*... or any combination thereof.*"
Replace with:
"*... or a combination of six or more dogs and cats.*"

Motion was made by a Commissioner Broemmer to approve P.Z. 11-2004 with the noted change to Amendment A. The motion was seconded by Commissioner Perantoni.

Upon roll call, the vote was as follows:

Yes: **Commissioner Broemmer, Commissioner Hirsch, Commissioner Layton, Commissioner O'Connor, Commissioner Perantoni, Commissioner Wardlaw, Chairman Sherman**

No: **None**

The motion passes by a vote of 7 to 0.

IX. NEW BUSINESS

City Attorney Beach suggested the following two items be sent to **Ordinance Review**:

- Review the regulations pertaining to “Length of Streets” with respect to the City’s variance standards. Review why there is a regulation for “Length of Streets” and whether consideration should be given to making the streets longer without violating the City’s Ordinance.
- Review the Appeals Process under Special Procedures with respect to the language being changed so that if there is a denial by the Planning Commission, approval by the City Council would require a super majority. Denial by the Planning Commission would require a super majority by the City Council, regardless of whether or not an appeal or protest had been filed.

The Commission added the following Issues to **P.Z. 10-2004 Barry Simon Development (Fox Hill Farms)**:

- Clarification on whether the streets on top of Eagle Crest are owned and maintained by the City of Chesterfield.
- Review the percent of grade on Griffith Lane with respect to the area mentioned by Mayor Nations in the June 14th meeting – further north on the eastern boundary.
- Review how water issues would be affected if Griffith Lane is paved.

Chairman Sherman asked if Griffith Lane would be required to be paved since the request came from the Fire Department.

City Attorney Beach responded that the City should review the request but is not required to follow it.

The Commission added the following Issues to **P.Z. 13-2004 Vision Ventures LLC and Plan Provision LLC (Wildhorse Executive Center LLC)**:

- Request for a tree overlay showing the existing trees and the site plan so it can be determined what trees would be removed by the proposed development.
- Request for background and history on the office campus concept that goes beyond the printed definition.
- Request for an overlay of the archeological area in relationship to where it is with respect to the proposed site.
- Review the possibility of inviting experts in the archeological field from the Landmarks Preservation Commission.
- Information on how the City has proceeded in the past with respect to archeological sites.

Discussion was held regarding the condition of the former service station on the property at 141 and Olive:

- It was noted that the Staff's Planning Technician has been trying to contact the out-of-town owner with respect to getting the weeds cut.
- With respect to the concrete barriers on the site, it was noted that there is no Ordinance pertaining to concrete barriers.
- It was noted that the Beautification Committee has expressed concern about this site.

X. COMMITTEE REPORTS:

- A. Committee of the Whole**
- B. Ordinance Review Committee**
- D. Architectural Review Committee**
- E. Landscape Committee**

Chairman Sherman stated that the **Landscape Committee** is meeting Thursday, July 1, and is working on the Tree Manual.

- F. Comprehensive Plan Committee**
- G. Procedures and Planning Committee**
- H. Landmarks Preservation Commission**

XI. ADJOURNMENT

The meeting adjourned at 8:40 p.m.

Lynn O'Connor, Secretary