

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JUNE 22, 2009**

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

I. ROLL CALL

PRESENT

ABSENT

Mr. David Banks
Ms. Wendy Geckeler
Mr. G. Elliot Grissom
Ms. Amy Nolan
Ms. Lu Perantoni
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Michael Watson
Chairman Maurice L. Hirsch, Jr.

Mayor John Nations
Councilmember Lee Erickson, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Mr. Mike Geisel, Director of Planning & Public Works
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Annissa McCaskill-Clay, Lead Senior Planner
Ms. Kimberly McMahan, Civil Engineer
Mr. Charlie Campo, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Hirsch acknowledged the attendance of Mayor John Nations; Councilmember Lee Erickson, Council Liaison and City Administrator Mike Herring.

IV. PUBLIC HEARINGS – Commissioner Proctor read the “Opening Comments” for the Public Hearings.

- A. P.Z. 05-2009 River Crossing (Lot C, Holiday Inn & Suites):** A request for an amendment to City of Chesterfield Ordinance Number 2469 for an increase in building height and maximum development square footage and a decrease in the openspace requirement for River Crossing Development, zoned “PC” Planned Commercial Development, located on the north side of Chesterfield Airport Road, at its intersection with Arnage, containing 15.841 acres of land. (17U520061, 17U520072, 17U240066, 17U240077, 17U240088, 17U520171, 17U520182, 17U520193)

STAFF PRESENTATION:

Ms. Annissa McCaskill-Clay, Lead Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. McCaskill-Clay stated the following:

- The Public Hearing was posted according to State statutes and City of Chesterfield requirements.
- The City of Chesterfield Comprehensive Plan calls for the subject area to be “Mixed Commercial Use”.

PETITIONER’S PRESENTATION:

1. Mr. John Pfaff, Architect for the project, 180 Weidman, Manchester, MO stated that the Petitioner is requesting the following three changes:
 - Change the maximum height of the building from three stories or 45 feet, to four stories or 48 feet.
 - Change the maximum square footage from 175,000 square feet to 189,000 square feet.
 - Change the minimum open space from 31% to 28%.

Mr. Pfaff then distributed to the Commission elevation drawings showing the proposed height of the building.

It was then clarified that the proposed 28% open space and 189,000 square footage applies to the development as a whole. The proposed maximum height would apply to the entire development as long as floor area ratio and parking requirements, etc. can be met.

It was noted that that there is still one other smaller undeveloped lot in the development on the northwest corner, identified as Tract 6.

Regarding agreements for cross access to the south, Mr. Pfaff stated that this has not been discussed but he would be willing to work out such agreements.

2. Mr. Michael Mueller, Cornerstone Civil Engineering, 2705 Dougherty Ferry Road, St. Louis, MO noted the following corrections to the area calculations :
 - Open space for Tract B should be corrected from 37% to 28.8%
 - Total percent of open space should be corrected from 31.3% to 29.8%

Mr. Mueller then stated that the open space area calculation of 29.2% is above the requested 28% to allow flexibility for the site – it is their intent to add planters and walks that would help the open space calculation.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. The possibility of cross access agreements.
2. Provide information on the location of comparable buildings in the area with similar heights as the height being requested.
3. What is the reason for the requested increase in height? Mr. Pfaff replied that they would like to build out of wood construction since they “have to sprinkler. Most hotel plans in the past had concrete slabs of 8 inches and the truss is 24 inches” so that is why they are requesting the height.

It was noted that the open space calculations for each of the lots and tracts came from the development of the sites. There is one overall open space calculation for the entire development by Ordinance. It was further noted that the project has changed considerably since the Preliminary Plan was presented – while the location of the uses are different, the uses are very similar to the original plan.

Commissioner Banks expressed concern about buildings being larger on the final lots than what was originally intended. Ms. McCaskill-Clay pointed out that Attachment A's are no longer written as restrictively with respect to maximum square footage as the subject Attachment A was written. In order for the Petitioners to address the last tenant's needs, they are requesting the three changes as outlined above. Ms. Nassif added that the Petitioners will still need to meet all the zoning code requirements for any proposed buildings.

[Mayor Nations joined the meeting at this point.]

- B. P.Z. 10-2009 84 Lumber (MASE LLC):** A request for a change of zoning from "C-8" Planned Commercial District to "PI" Planned Industrial District for a 7.42 acre tract of land located south of Interstate 64/Highway 40 and east of Long Road at 17519 Chesterfield Airport Rd. (17U510073)

STAFF PRESENTATION:

Project Planner Charlie Campo gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Campo stated the following:

- All Public Hearing notification requirements were adhered to.
- The site is currently a vacant former lumber yard with an associated retail store.
- The Comprehensive Plan shows the site to be bordered by Mixed Commercial Use to the east and west, Highway 40/61 to the north, and Mixed Use (Retail, Office Warehouse) to the south.
- The subject site is shown to be Mixed Commercial Use.
- Requested Uses:
 - (g) Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections.
 - (k) Business service establishments.
 - (q) Financial institutions.
 - (r) Fishing tackle and bait shops. Open storage and display are prohibited.
 - (y) Hotels and motels.
 - (dd) Mail order sale warehouses.
 - (ff) Manufacturing, fabrication, assembly, processing or packaging of any commodity except:
 - (i) Facilities producing or processing explosives or flammable gases or liquids;
 - (ii) Facilities for animal slaughtering, meat packing, or rendering;
 - (iii) Sulphur plants, rubber reclamation plants, or cement plants, and
 - (iv) Steel mills, foundries, or smelters.
 - (gg) Medical and dental offices.
 - (hh) Mortuaries.
 - (ii) Offices or office buildings.
 - (ll) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
 - (mm) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.

- (oo) Printing and duplicating services.
- (vv) Restaurants, fast food.
- (ww) Restaurants, sit down.
- (xx) Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles.
- (yy) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture.
- (bbb) Schools for business, professional, or technical training requiring outdoor areas for driving or heavy equipment training.
- (ccc) 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. Goods and services associated with these uses may be sold or provided directly to the public on the premises.
- (iii) Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.
- (ooo) Vehicle repair facilities.
- (ppp) Vehicle service centers.
- (qqq) Vehicle washing facilities.
- (ttt) Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.
- (www) Motion picture theater.
- Currently the only use allowed on the site is the lumber yard.
- There are no proposed changes to the site.
- Items currently under review:
 - Landscaping to the south and west of the main building
 - Requested uses' conformance to the Comprehensive Plan

Regarding use (vv) *Restaurants, fast food*, it was noted that since *drive-thru* is not specifically stated, it is assumed *drive-thru* is not included as part of the use.

Commissioner Perantoni thought the Comprehensive Plan did not intend this area to be industrial and that industrial uses would be kept from the area that is adjacent to Highway 64. Mr. Campo clarified that the Comp Plan shows the subject site to be Mixed Commercial Use, which is defined as follows:

Mixed Commercial Use is a conceptual land use category. Appropriate uses in this designation would be retail and office. Depending on location, some areas may combine warehousing and distribution with the office development.

Ms. Nassif added that the Land Use Plan does not designate zoning districts for an area; but rather gives information on the compatible uses for an area. A site could be zoned to “Planned Industrial” with a mixed commercial development.

PETITIONER’S PRESENTATION:

1. Mr. Chris Kehr, Attorney representing the Petitioner, 911 South 13th Street, St. Louis, MO stated the following:

- They are requesting “Planned Industrial” for the site to allow some diversification in the area through a variety of uses. The uses in both “PI” and “PC” are very similar.
- The Petitioner has an existing business, Car Star Collision and Auto Repair Center, which is to the west of the main parking area of the Fusz Ford dealership.
- The existing business “is run in a clean, very efficient, professional manner. They don’t have junk cars sitting around. Inside is spotless; it is very well run.”
- The purpose in purchasing the property is to enable the existing business to expand and to offer some additional services with bigger facilities to process collision and catastrophic (such as hail damage) repair. The site would allow them to store vehicles while they’re being processed for repairs.
- The facility does not front Chesterfield Airport Road and is sufficiently landscaped and fenced to screen it from the highway. In addition, there is existing wild growth that helps with screening. If the screening is not sufficient, the Petitioner is willing to improve, and add to, the existing landscaping.
- The interior portion of the building would be used to process and offer auto repair, along with storage of vehicles waiting for repairs. The outbuildings could be used in the same manner.
- The Petitioner is willing to eliminate some of the uses that are not reasonable for the site.
- The Petitioner wants to keep the uses that would allow auto repair/body work and the storage of vehicles that need repair. These uses are consistent with the uses surrounding the site.

The Commission asked that the following uses be considered for elimination:

- (g) Automatic vending facilities – *consider making this use ancillary*
- (xx) Construction equipment, agricultural equipment, and boats
- (yy) Industry and agriculture
- (bbb) Driving schools
- (ttt) Yards for storage of contractors’ equipment
- (www) Motion picture theater

Chair Hirsch asked that the Petitioner work with Staff regarding adequate screening for the intended use to insure that the site cannot be seen from Airport Road or the highway.

Responding to questions from the Commission, Mr. Kehr clarified the following points:

- Security of the site: This has not yet been determined. If security is needed at night, it will be provided and will meet the City's zoning requirements.
- Cross access is anticipated between the two properties.
- Number of vehicles that would be possible to be stored on the site: This information was not available at this time but will be provided.
- Changes to the existing buildings on the site: The existing buildings will not be taken down and will not be made any taller. There will be no structural changes; there may be cosmetic changes.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:

1. Mr. Mark E. McNulty, owner of Save Gasoline Corporation, 17511 Chesterfield Airport Road, Chesterfield, MO stated the following:
 - His family has owned the site directly east of the subject site for approximately 50 years. Their site is a 12.84 acre site and is currently available for sale.
 - They have had quite a bit of interest in their site from a number of higher end users, including hotels and other retail-related uses.
 - They are concerned about the requested uses for the subject site, especially the vehicle repair facilities, vehicle service centers, and vehicle washing facilities. They have concern that these uses will include derelict cars and broken glass on the site.
 - They are concerned about odors that may be emitted from the painting of vehicles.
 - They are concerned that their property will be de-valued if situated next to an auto collision center.
 - Speaker does not feel a collision center should be expanded on a site that has highway visibility and access from Chesterfield Airport Road.
2. Mr. Edward F. Pohner II, owner of Save Gasoline Corporation, 17511 Chesterfield Airport Road, Chesterfield, MO stated the following:
 - He agrees with the comments made by Mr. McNulty.
 - He feels there is a better use for the subject site.
 - They have discussed a Master Plan for their property, which would include the 84 Lumber site.

SPEAKERS – NEUTRAL: None

REBUTTAL:

Addressing some of the issues raised, Mr. Kehr stated the following:

- He invited members of the Commission to tour the existing facility to observe its cleanliness and efficient operations.
- The automobile paint industry is highly regulated through an emissions permit. No fumes leave the facility – they are all filtered. In addition, the paints are all water-based.
- Broken glass and derelict vehicles will not be stored on the site. The vehicles would be late-model cars that are being repaired based on insurance-driven repair claims.
- They will screen the site so nothing is seen.
- They will work with their neighbors.
- They feel the business “will help the Valley by cleaning up the site and using it in an effective, appropriate manner that is consistent with uses that are already in place and those in the Comprehensive Plan, as well.”

ISSUES:

1. Paring down the list of Permitted Uses.
2. Security of the site
3. Cross access between the existing operation and the proposed site through the Ford dealership site
4. Volume of outdoor storage
5. Whether the underlying zoning should be “PI” or “PC”
6. Screening of the site
7. Requested uses compared to surrounding uses – are they compatible?
8. Possibility of paint odors
9. Possibly restricting certain uses to the south half of the property
10. Provide photos of the existing buildings on the 84 Lumber site

Commissioner Proctor read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Grissom made a motion to approve the minutes of the **June 8, 2009 Planning Commission Meeting**. The motion was seconded by Commissioner Perantoni and **passed by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **1230 Walnut Hill Farm Drive (Walnut Hill Farms) Residential Addition**: A request for a residential addition on the west side of an existing home zoned "NU" Non-Urban District, located at 1230 Walnut Hill Farm Drive in the Walnut Hill Farms Subdivision.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Residential Addition for **1230 Walnut Hill Farm Drive (Walnut Hill Farms)**. The motion was seconded by **Commissioner Geckeler** and **passed** by a voice vote of 9 to 0.

- B. **14532 Exton Lane (Chesterfield Hill Subdivision) Residential Addition**: A request for a residential addition on the east side of an existing home zoned "R1A" Residential District with a Planned Environment Unit (PEU) procedure, located at 14532 Exton Lane in the Chesterfield Hill Subdivision.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Residential Addition for **14532 Exton Lane (Chesterfield Hill Subdivision)**. The motion was seconded by **Commissioner Nolan** and **passed** by a voice vote of 9 to 0.

- C. **Jiffy Lube (13490 Olive Boulevard)**: Amended Architectural Elevations for a .54 acre lot of land zoned "C-2" Shopping District with a City of Chesterfield Conditional Use Permit to allow a vehicle service center, located at the southeast corner of Olive Boulevard and Woodsmill Road.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Amended Architectural Elevations for **Jiffy Lube (13490 Olive Boulevard)**. The motion was seconded by **Commissioner Puyear** and **passed** by a voice vote of 9 to 0.

- D. **Spirit Trade Center, Lot 11 (647 Trade Center Boulevard)**: Amended Architectural Elevations for a 2.144 acre lot of land zoned "M-3" Planned Industrial District located south of Chesterfield Airport Road on the west side of Trade Center Boulevard.

Commissioner Grissom, representing the Site Plan Committee, made a motion recommending approval of the Amended Architectural Elevations for **Spirit Trade Center, Lot 11 (647 Trade Center Boulevard)**. The motion was seconded by **Commissioner Nolan** and **passed** by a voice vote of 9 to 0.

VIII. OLD BUSINESS - None

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:53 p.m.

Michael Watson, Secretary