PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 28, 2008

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

I. PRESENT **ABSENT**

Mr. David Banks
Mr. Fred Broemmer
Ms. Wendy Geckeler
Mr. G. Elliot Grissom
Ms. Amy Nolan
Ms. Lu Perantoni
Mr. Gene Schenberg
Mr. Michael Watson
Chairman Maurice L. Hirsch, Jr.

Mayor John Nations
Councilmember Dan Hurt, Council Liaison
Harry O'Rourke, representing City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Ms. Susan Mueller, Principal Engineer
Ms. Kimberly McMahan, Civil Engineer
Ms. Annissa McCaskill-Clay, Assistant Director of Planning
Ms. Aimee Nassif, Senior Planner
Ms. Mara Perry, Senior Planner
Mr. Shawn Seymour, Project Planner
Mr. Justin Wyse, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner Schenberg

III. PLEDGE OF ALLEGIANCE – All

Chair Hirsch acknowledged the attendance of Mayor John Nations; Councilmember Dan Hurt, Council Liaison; Councilmember Bob Nation, Ward IV; and City Administrator Mike Herring.

Chair Hirsch recognized two members of the Planning Commission:

- **Gene Schenberg** has been on the Commission since 2006 and is presently serving as an officer of the Commission. Commissioner Schenberg's term on the Commission expires after tonight's meeting. He is currently the Mayor's nominee to serve an unexpired term for Ward I on City Council. Chair Hirsch wished him well and expressed appreciation for his input and guidance during his term on the Planning Commission.
- **Fred Broemmer** has been on the Commission since 1993. During that time, he has served as Secretary, Vice-Chair, and Chair. Chair Hirsch stated that Commissioner Broemmer "has been one of the solid rocks of the Commission for so many years". He added that the members of the Commission have learned a lot from Commissioner Broemmer and truly respect him as a colleague. Chair Hirsch then presented Commissioner Broemmer with a plaque and thanked him for his guidance and fellowship.

IV. PUBLIC HEARINGS – Commissioner Broemmer read the "Opening Comments" for the Public Hearings.

A. T.S.P. 04-2008 Cricket Communications (Double Tree Hotel): A request to obtain approval for a Telecommunication Facility Siting Permit in a "C8" Planned Commercial District for a 23.54 acre tract of land located on the north side of Swingley Ridge Drive, west of Chesterfield Parkway (17S110136).

STAFF PRESENTATION:

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

- The proposed facility includes:
  - Three cellular telephone antennas are to be mounted on the Double Tree Hotel penthouse. One antenna will be mounted on the east side of the penthouse, and two antennas will be located on the south side of the penthouse.
  - Supporting telecommunications equipment is to be located on the roof of the hotel. This equipment will be located on the east side of the penthouse and will be screened appropriately.
- Public notification was provided per State statute and City of Chesterfield requirements. The Chesterfield Telecommunication Ordinance requires that the applicant notify all property owners within 1500 feet of the proposed property for where the telecommunication facility will be sited. The applicant has met this standard.
- The proposed Cricket cellular antennas will be mounted flush with the roof of the penthouse and will not exceed above it.
- The City of Chesterfield Land Use Plan designates the subject area as "Urban Core". Land use consists of a mixture of high-density residential,

retail and office uses containing the highest density development in Chesterfield.

From Staff's perspective, Chair Hirsch asked if the application meets all the requirements of the Telecommunication Ordinance. Mr. Seymour replied that it does.

Commissioner Broemmer asked if the penthouse meets all the ordinance requirements. It was noted that the penthouse is existing with existing antennas on it. Mr. Seymour pointed out that on the right-hand portion of the penthouse, there is an area that will be utilized to locate some existing supporting telecommunication equipment, which will be screened according to the ordinance specifications.

Chair Hirsch reported that the Commission's role is to confirm that the requirements of the ordinance have been met. The Commission will not vote on this petition – it will be forwarded to the Planning & Public Works Committee after tonight's meeting.

Councilmember Hurt asked if the permit is for existing towers. Mr. Seymour replied that the petition is for a new co-location at the Double Tree Hotel.

Councilmember Hurt noted that the Double Tree Hotel recently came through for a "PC" zoning and that the ordinance includes language for "existing" towers.

Ms. Aimee Nassif, Senior Planner, reported that the rezoning for the Double Tree Hotel was approved by City Council at its last meeting. She clarified that the ordinance language specifies that cell towers are allowed as an accessory use; however, no new locations on the site are to be used. The site allows for a new antenna, or co-location on the existing penthouse. The requested antenna is permitted under the current ordinance. She added that this particular petition was reviewed with the City Attorney and determined to be acceptable.

Councilmember Hurt pointed out that the Public Hearing notification specifies the site being in a "C8" zoning but the site is now in a "PC" zoning. Ms. Nassif stated that "C8" zoning still refers to a "Planned Commercial District" in the City's Zoning Ordinance. She added that the Public Hearing notifications were published before the "PC" zoning was finally approved.

PETITIONER'S PRESENTATION:

1. Ms. Tabitha Riggle. Selective Site Consultants, passed on making a presentation.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL:

1. Ms. Marilyn Johnston, 16560 Old Chesterfield Road, Chesterfield, MO asked the following questions:
   - Will the proposed antenna cause any interference with local cell phone transmission, local satellite dish transmission, or other kinds of transmission?
   - Will there be any additional lights or warning beacons placed on top of the Double Tree Hotel? *Chair Hirsch replied that the petition does not request any additional lights or warning beacons*.
   - What steps are taken in the event there is an interruption in air-to-air communication?

RESPONSE:

Mr. John King, Attorney representing Cricket Communications, stated that under the FCC license, the Petitioner is required to correct any problems that may arise with respect to interference. He is not aware of any interference problems that have occurred from the existing users at the Double Tree Hotel. However, if any interference does occur, the problem would have to be corrected and steps taken to insure that it wouldn't occur again.

ISSUES:

Chair Hirsch noted that the issues raised were addressed by Mr. King. He requested that the Staff Report going forward to the Planning & Public Works Committee reflect these issues.

B. P.Z. 13-2008 River Crossings (Bentley Holdings, LLC): A request for an ordinance amendment to amend the landscape criteria for Lots 6, 7 and 8 of River Crossings a 5.412 acre tract of land, zoned "PC" Planned Commercial District, located at 17 Arnage Rd., 9 Arnage Rd., and 1 Arnage Rd., (UC7520049, 17U520049, 17U520050).

STAFF PRESENTATION:

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

- All Public Hearing notification requirements were met.
- The petition was posted for Lots 6, 7 and 8; therefore, any changes to the Ordinance can only affect those properties.
- The site was rezoned to a Planned Commercial District in 2001. During the rezoning process, City Council included additional landscaping requirements for buffering along Highway 40.
- The Ordinance was later amended in 2002 and in 2007. During both of the Ordinance amendments, the landscape requirements for buffering along Highway 40 were kept in the Ordinance.

- In 2008, a minor subdivision plat was approved for the site. The original lot configuration consisted of seven lots. On the northern portion of the site (previously Lots 6 and 7), the lot lines were adjusted slightly and split to create Lots 6, 7 and 8.
- The current Attachment A has two landscaping requirements. The Petitioner is requesting changes to these requirements as follows:

  Section I.E. "Landscape and Tree Requirements":

  1. The developer shall adhere to the Tree Manual of the City of Chesterfield Code.
  2. ~~A thirty (30) foot landscape strip shall be provided along Highway 40/61 from the western district line to the west side of Lot 8. To achieve this dense landscaping the following combination of plant material shall be used:~~
     ~~a. Deciduous Trees~~
     ~~b. Evergreen Trees~~
     ~~c. Bushes and shrubs~~

     ~~The plant material shall comply with the following:~~
     ~~a. Three (3) deciduous trees per 100 feet, at 2 ½ inch caliper.~~
     ~~b. Six (6) evergreen trees per 100 feet, at six (6) foot in height.~~
     ~~c. Eight (8) bushes and shrubs per 100 feet, at 18 inches in Diameter~~.

- The requested change by the Petitioner will not affect the width of the buffer. It will simply affect the density of the landscaping in that buffer.
- Staff completed a review of subdivisions with frontage along Highway 40 between Boone's Crossing and Long Road. In this area, there is only one other subdivision that was found to have additional buffer requirements along Highway 40. Those requirements were very similar to those found in River Crossing.
- The approved Conceptual Landscape Plan for Lots 6, 7, and 8 shows Lot 8 as being the Bentley dealership; Lot 7 is in the process of being constructed as a Lamborghini dealership; and Lot 6 is proposed as retail buildings.
- The Petitioner has provided a proposed Conceptual Landscape Plan, which has not been fully reviewed by Staff. If the Ordinance amendment is passed by City Council, the Petitioner will submit a partially-amended Conceptual Landscape Plan for Lots 6, 7 and 8 reflecting the new buffer requirements along Highway 40. Subsequently, the Petitioner would need to submit amended Landscape Plans for Lots 7 and 8, both of which would be presented to the Planning Commission for review and approval.
- The Comprehensive Plan designates the subject area as "Mixed Use Commercial".

Chair Hirsch stated that the Petitioner's request to delete some of the landscaping requirements speaks to a 30-foot landscape buffer. He noted that

the Tree Manual also speaks to a 30-foot landscape buffer. So the requested change relates to “density of landscaping” rather than the “width of the buffer”.

Chair Hirsch stated that Staff pointed out that similar landscaping requirements are required at the Lou Fusz Ford site. In driving past that site earlier in the day, it was noted that there are no trees on the site and suggested that Staff investigate whether Lou Fusz Ford is in compliance with its site-specific ordinance. Mr. Wyse replied that Staff is currently reviewing the situation.

Chair Hirsch stated that Lot 8 (the Bentley dealership) is currently planted. It is his understanding that Lot 8 exceeds the Tree Manual requirements but is not as dense as what was required for Lots 6 and 7. He asked that the Petitioner address whether the landscaping in front of Lots 6 and 7 would mirror what is already built in front of the Bentley dealership. Mr. Wyse stated that the Petitioner did provide a proposed Conceptual Landscape Plan to try and convey this idea of keeping the landscaping consistent.

Councilmember Perantoni asked if the more concentrated landscaping requirement was in place when the western lot was subdivided. Mr. Wyse replied that the landscape buffer requirements were in place. The current plan shows some landscaping for a buffer requirement on what is now Lot 8, which is a result of the shift of the property lines. Subsequently, Lot 8 will need to amend its Landscape Plan as well.

Chair Hirsch pointed out that when Council had the additional density requirement in place, the Petitioner was showing Lot 6 as being a four-story hotel, which would have been a taller builder than the car dealerships. He felt that the hotel use was the impetus for the additional density. He added that the additional requirements were for what was then just Lot 6.

Commissioner Geckeler asked Councilmember Hurt to give some background on Council’s thinking in 2001 with respect to the additional landscaping requirements. Councilmember Hurt stated that Council did not want a “hard” look along any arterials. They wanted to soften the look with additional landscaping to avoid a canyon effect along main arterials.

Commissioner Broemmer disagreed with the suggestion that the subject site match the Bentley dealership because the Bentley site was approved with less landscaping. Chair Hirsch stated that the landscaping for the Bentley dealership (Lot 8) meets the requirements of its site-specific ordinance. He added that the landscaping exceeds the requirements of the Tree Manual.

PETITIONER'S PRESENTATION:

1. Mr. John Willems, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO presented a display of the proposed landscaping for Lot 8 (Bentley dealership) as required by the current Ordinance vs. the landscaping that would be required if the requested amendment is granted. He stated the following:
   - The current ordinance requires a heavy buffer along both the enhanced motor court and the Lamborghini dealership.
   - They are asking for consistency across the entire site.
   - In displaying pictures of the area, Speaker stated that as one gets closer to the Bentley dealership, there is a nice clear view of the architectural features of the building. It was noted that the Amini site is less planted than the existing Bentley site.
   - A lot of enhancements are proposed to the existing motor court with architectural features and decorative concrete. An architectural displayed water feature will be in the center fountain area. The architectural features facing Highway 40 include a large glass storefront so motorists along the highway can see the Lamborghini vehicles inside. The idea is to attract motorists off of Highway 40 into the Valley.

   Chair Hirsch asked if they are proposing that the density currently in front of the Bentley dealership be continued across the rest of the north side of the property. Mr. Willems replied that this is their point.

2. Mr. Kyle Darnell, Arco Construction – General Contractor for Bentley Holdings, 1750 S. Brentwood, St. Louis, MO gave a PowerPoint presentation and stated the following:
   - The current Ordinance only relates to Lots 6 and 7 and did not relate to Lot 8 at the time of its construction.
   - He presented an overall Landscape Plan for the new Lamborghini dealership and the motor court area showing the amount of landscape for the project designed to bring about "an exotic, luxury automotive showroom and European motor court".
   - The site includes a 19' diameter fountain feature that would go in the middle of the courtyard. The fountain would include water and fire effects to draw attention to motorists traveling along Highway 40 and Arnage.
   - Their intention is to complement and match the current landscaping at the Bentley dealership.

Chair Hirsch pointed out that the design being presented has been approved by the City's Architectural Review Board.

Commissioner Geckeler asked if the proposed courtyard would be visible from Highway 40. Mr. Darnell replied that it would be visible. He added that they would still be adhering to the Tree Manual, which requires a tree every 40 feet.

Councilmember Hurt inquired as to the market range for this type of dealership.

3. Mr. James Mills, Bentley Holdings – St. Louis, 1 Arnage Drive, Chesterfield MO noted that their primary market extends to Nebraska, Iowa, Kansas, south to Mississippi, Arkansas, Tennessee, Kentucky, and Illinois.

Councilmember Hurt noted that their sales are "point of destination sales", where customers know where they want to go. Because it is a "point of destination" sale vs. a "drive-by" sale, he expressed concerns about decreasing the landscaping. He added that he liked the water feature and the architecture being proposed.

Mr. Mills pointed out that the dealership does attract quite a few travelers going cross country along Highway 40 that stop by to view the cars. They also then usually ask for information on area restaurants.

Commissioner Perantoni stated that she will not make up her mind on the petition based on whether the dealership is getting more advertising from the road. She noted that the use for site is a definite use – it will not change to a small retail use. The fact that the use on the site is not likely to change is more of a determining factor for Commissioner Perantoni's decision rather than the fact that motorists can see into the site's property from the highway.

Commissioner Watson asked if overnight parking is allowed on the site. Mr. Mills replied that, to the best of his knowledge, there would not be overnight parking.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:
1. The view from Highway 40 and the rationale for it.
2. The specificity of the density on these two lots compared to the Bentley dealership – whether or not it would be more advantageous to have a consistent density across. Since the landscaping in front of Lot 8 is more dense than the Tree Manual but not as dense as the current requirements for Lots 6 & 7, perhaps something could be crafted to make sure that Lots 6 & 7 are as dense as what is on Lot 8.

C. P.Z. 14-2008 Four Seasons Plaza, Lot 2 (Caplaco Seven, Inc. & Dierbergs Four Seasons, Inc.): A request for a change of zoning from "C-8" Planned Commercial District to "PC" Planned Commercial District for a 8.25 acre tract of land located southwest of the intersection of Olive Boulevard and Woods Mill Road. (16Q210763)

STAFF PRESENTATION:

Senior Planner Mara Perry gave a PowerPoint presentation showing photographs of the site and surrounding area. She stated that the proposed uses are all from the uses in the Planned Commercial District and include:

(b) Animal hospitals and veterinary clinics.
(h) Barber shops and beauty parlors.
(i) Bookstores.
(j) Broadcasting studios for radio and television.
(k) Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
(l) Cafeterias for employees and guests only.
(m) Child care centers, nursery schools, and day nurseries.
(n) Colleges and universities.
(o) Dry cleaning drop-off and pick-up stations.
(q) Film drop-off and pick-up stations.
(s) Financial institutions.
(x) Medical and dental offices.
(z) Office or office buildings.
(ff) Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, tennis courts, and gymnasiums, indoor theaters and marina facilities.
(gg) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
(hh) Restaurants, fast food.
(ii) Restaurants, sit down.
(kk) Rental and leasing of new and used automobiles and necessary outdoor storage of said vehicles.
(mm) Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.
(nn) 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.
(pp) Permitted signs (see Section 1003.168 "Sign Regulations")
(qq) Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.

(rr) 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.

Ancillary Uses include:

(e) Associated work and storage areas required by a business, firm, or service to carry on business operations.

(g) Automatic vending facilities for:

- (i) Ice and solid carbon dioxide (dry ice);
- (ii) Beverages;
- (iii) Confections.

(cc) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized vehicles for a period in excess of seventy-two (72) hours (excluding for a period in excess of seventy-two (72) hours)

Ms. Perry stated the following:

- The site was posted per State statute, as well as City of Chesterfield requirements.
- In 1975, St. Louis County zoned the site "C-8" Planned Commercial District under St. Louis County Ordinance 7836.
- From 1976 until 1989, the ordinance was amended six times. All of these amendments were done under St. Louis County. The language regarding uses is somewhat vague, which presents problems when uses are requested by trying to determine if they fit within the allowed uses.
- The rezoning request is mainly to provide a list of uses that is consistent with the uses that the City currently works with under the "PC" Planned Commercial District.
- No exterior changes to the site are being proposed with the requested rezoning.
- The subject site is located in the Community Retail land use designation.

Chair Hirsch asked if the existing Ordinance has any restrictions on hours of operation. Ms. Perry replied that the bowling alley has restrictions on its hours of operation: 6:00 a.m. to 1:30 a.m. Sunday-Friday morning; and from 6:00 a.m. to 2:30 a.m. on Friday-Sunday morning. This is the only restriction for the site and these hours of operation would remain the same in the draft Attachment A.

Commissioner Schenberg asked how the requested uses are the same as, or different from, the uses at the other end of the Four Seasons development. Ms. Perry stated that the other end of the Four Seasons development has a straight "C-2" zoning. There are some similar uses as the requested uses, but are more limited because the "C-2" District does not have as an extensive list of uses as the "PC" District. She added that the "C-2" uses are from St. Louis County.

Commissioner Broemmer felt that some of the requested uses may not be appropriate for the subject site – specifically, uses (ff) and (kk). He suggested that the Petitioner review the list for possible reductions to it.

PETITIONER'S PRESENTATION:

1. Mr. Mike Doster, Attorney for the Petitioner – Caplaco Seven Inc. and Dierberg's Four Seasons, Inc. 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
   - They are seeking to rezone the subject site from "C-8" Planned Commercial to "PC" Planned Commercial.
   - They are not seeking to change the existing development's footprint or exterior at this time.
   - They are trying to clean up the zoning history on the site and to provide the language in the site-specific ordinance with respect to permitted uses that will allow all those who are interested to determine what is permitted and what is not permitted.
   - Lot 1 of Four Seasons is zoned "C-2" and is a straight district – not a planned district.
   - Total Land Area is approximately 387,000 square feet, which represents a site coverage of .235.
   - The current Retail Tenants include:
     - Mongolian Vietnam Restaurant
     - Kids 'n Motion
     - Total Life Chiropractic, P.C.
     - Essential Fitness
     - Picture Perfect
     - Pacific Beach
     - Pizza Hut
     - Gateway Cleaners
     - Veterinarian
     - Viviano's
     - Imagine Hair & Nail Center
     - Schumacher Kitchen & Bath Studio
     - Hunan Empress
     - Brunswick Bowl
   - Speaker pointed out that the fitness use and veterinarian use wound up in a "gray area" given the language in the existing site-specific ordinance. The City is now interpreting "fitness centers" as a recreational use, so they are seeking "recreational use" to be added to the "PC" list of uses. At times, "veterinarian" has been interpreted as a "medical use" and the current ordinance does not specifically authorize medical use. He noted that under St. Louis County's ordinances, if "office" is a permitted use, "medical" is included in the "office" use as long as the parking requirements are met.

- The current Office Tenants include:
  - Strategic Promotions
  - Verizon Wireless
  - Stanley Charles Busnick, DDS
  - Jae Young Lee
  - NOJ Capital Management, Inc.
  - Speed Taylor
  - Rafael Garcia
  - Patrice Rhodes
  - Kromite, LLC
  - All Points Capital
  - Susan Richardson
- St. Louis County Ordinance No. 14,570 is the ordinance that is referred to for determining permitted uses. Following is an excerpt from the Ordinance, which is pertinent to determining permitted uses:

  "*The uses permitted in this "C-8" District shall be limited to commercial shops…office/bank building…bowling center…sit down restaurants…"*
- Speaker stated that this language does not find an exact counterpart under the City's "PC" District noting that "*commercial shops"* is not defined anywhere in the ordinance, which has led to some confusion and debate as to whether or not certain tenants can be located in the Center.
- The following list of uses gives a general idea of the concept they are trying to address:
  - Stores, shops and markets
  - Service facilities, studios
  - Schools for business, professional or technical training
  - Restaurants – sit down and fast food
  - Beauty parlors
  - Veterinary clinics
  - Financial Institutions
  - Recreational Facilities
  - Colleges and Universities
  - Office or office buildings
  - Research facilities
- They want the Center, which is an older establishment, to remain viable. In order to keep it viable, they want to make sure they have a broad enough range of permitted "retail" and "commercial" uses to attract good uses to the Center and avoid vacancies.
- Regarding the comparison of uses between "C-2" and "PC", Speaker stated the "C-2" zoning is better than what they currently have, in some respects, in such that the following uses are permitted under "C-2":
  - Financial Institutions – not including drive-thru facilities
  - Medical and dental offices
  - Recreational facilities

- Restaurants, including fast food restaurants except those which provide drive-thru service, or those which constitute the only use in a free-standing building *(Speaker stated that they may explore this language with Staff to determine if it can be included in the draft Attachment A.)*
- Fast food restaurants selling only ice cream products, yogurt, or similar dairy dessert products and soft drinks
- Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind are offered for sale or hired to the general public on the premises.

- They are trying to "modernize" their permitted uses under Chesterfield's code to eliminate the confusion they have encountered in the past.

Chair Hirsch asked if the use of "restaurants – fast food" will specify that no drive-thru is allowed. Mr. Doster indicated that "no drive-thru" will be specified.

Chair Hirsch asked that the Petitioner review the list of uses with Staff to pare down the list – and specifically uses (ff) and (kk).

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Hours of operation and the current restrictions. *(Ms. Nassif pointed out that the Attachment A template for all commercial districts includes "hours of operation".)*
2. Uses compared to "C-2" uses – **Issue addressed**
3. Review the list of uses for possible eliminations – specifically uses (ff), (kk) and (hh)
4. Specifically point out in the Staff Report those items from the existing ordinance that will be brought forward in the draft Attachment A.

Councilmember Hurt asked if there are any plans for landscaping the parking areas – such as spines. Mr. Doster stated that presently there are no plans for landscaping the parking area. He noted that the site does have mature trees on it which provide "a lot of green visually". Councilmember Hurt agreed that there are a lot of mature trees around the perimeter – he added that if landscaping is added in the future, he would encourage spines similar to what has been done in the Valley.

Commissioner Broemmer read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Schenberg made a motion to approve the minutes of the May 12, 2008 Planning Commission Meeting. The motion was seconded by Commissioner Watson and **passed by a voice vote of 8 to 0 with 1 abstention from Commissioner Geckeler.**

VI. PUBLIC COMMENT

A. Drew Station (1662-1698 Clarkson Road)

Petitioner:

1. Mr. Bill Peick, Summit Development Group, 100 South Brentwood, Suite 222, St. Louis, MO stated the following:
   - They are asking for a 20% parking reduction. Speaker noted that the current Ordinance states that the Planning Commission may recommend such a request to the City Council "*where it has been demonstrated by study of the combined uses and customary operation of the uses, that adequate parking would be provided*".
   - In speaking to Staff at the City and at Crawford, Bunte & Brammeier, Speaker was advised to study the current use of the shopping center, add to it the existing counts from the already-established Metro Design Studios, along with the vacancies at the same parking rate as the Chesterfield ordinance.
   - After preparing this study, it was determined that the sum of those numbers is less than the number of parking spaces in the existing parking lot.
   - Considering the Site Plan Committee's comments with respect to comparing the subject site to Chesterfield Mall, and the Committee's comments regarding the changing tenant mix, Speaker asked that the request for a parking reduction be held at this time to give them an opportunity to learn more about the Committee's objections and to address them at a future meeting.

Chair Hirsch asked that the Petitioner's PowerPoint presentation given at the earlier Site Plan Committee meeting be forwarded to Staff to become part of the public record.

Ms. Nassif requested that a meeting date not be requested at this time for the resubmittal of Drew Station (1662-1698 Clarkson Road**)** because there may not be ample time for Staff to meet with the Petitioner before meeting packets for the June11th meeting are required to go out.

Mayor Nations indicated his support "to hold" the request for a parking reduction at this time. He stated that the development of the Barnes & Noble site and the Talbot site was a complicated and long process. He noted that Summit Development and Drew Station were very accommodating with some requests made of them in order to accommodate the developments through that area. During the long negotiations, they were very accommodating to the interests of the City and the Developers.

B. Spirit Valley Business Park, Lot 15 (Vermeer)

Petitioner:

1. Mr. John Willems, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
   - Because the trash enclosure is already within a full six-foot height screened enclosure, the Petitioner does not understand why there is a need to enclose it a second time with very expensive building-type materials when it will not be seen.
   - The Petitioner prefers to match the trash enclosure with the fence noting that the fencing material has been approved by the Architectural Review Board (ARB).

Chair Hirsch clarified that the material approved by ARB is for the fence and that ARB recommended that the trash enclosure be enclosed by materials matching the building.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. Drew Station (1662-1698 Clarkson Road): Parking Reduction for a 4.91 acre lot of land zoned "C-8" Planned Commercial located at the northeast corner of Clarkson and Baxter Roads.

Commissioner Schenberg, representing the Site Plan Committee, stated that the Site Plan Committee had recommended not approving the parking reduction for Drew Station but noted that the Petitioner is asking that the request be held at this time.

Commissioner Watson then made a motion to hold the Parking Reduction for Drew Station (1662-1698 Clarkson Road) until Staff and the Petitioner are ready to resubmit it. The motion was seconded by Commissioner Grissom and **passed by a voice vote of 9 to 0**.

B. **Spirit Valley Business Park, Lot 15 (Vermeer):** A Site Development Section Plan, Architectural Elevations, Landscape Plan, and Lighting Plan for a 6.5 acre parcel located at 621 Spirit Valley East Drive, west of the intersection of Olive Street Road and Chesterfield Airport Road.

Commissioner Schenberg, representing the Site Plan Committee, made a motion recommending approval of the Site Development Section Plan, Architectural Elevations, Landscape Plan, and Lighting Plan for Spirit Valley Business Park, Lot 15 (Vermeer) with the understanding that the trash enclosure will match the building's exterior. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 9 to 0**.

VIII. OLD BUSINESS

A. **P.Z. 13-2008 River Crossings (Bentley Holdings, LLC)**: A request for an ordinance amendment to amend the landscape criteria for Lots 6, 7 and 8 of River Crossings a 5.412 acre tract of land, zoned "PC" Planned Commercial District, located at 17 Arnage Rd., 9 Arnage Rd., and 1 Arnage Rd., (UC7520049, 17U520049, 17U520050).

Project Planner Justin Wyse stated that the Public Hearing was held earlier this evening. He has spoken with the Petitioner and they are willing to add language insuring that the landscaping for Lots 6 and 7 will be consistent with what is approved and existing on Lot 8 (the existing Bentley dealership), which would maintain a consistent view along these properties.

Commissioner Schenberg asked for confirmation that all of the properties adjacent to the subject development (both east and west) currently are required to adhere to the Tree Manual, but do not have the additional buffer requirements other than the Ford dealership, which may not be adhering to its requirements. Chair Hirsch indicated that this is correct.

Mr. Wyse added that the property to the west is Chesterfield Commons Seven and is currently in for a rezoning from "NU" to "PC". Their existing requirements are adherence to the Tree Manual.

Commissioner Schenberg then asked for confirmation that the trend for development along Highway 40 in this area is that it only require adherence to the Tree Manual without additional buffering. Mr. Wyse stated that this is correct.

Commissioner Schenberg made a motion to approve P.Z. 13-2008 River Crossings (Bentley Holdings, LLC) with the condition that the density and types of planting materials on Lots 6 and 7 would be consistent with the landscaping currently on Lot 8; and with the condition that the landscaping for Lots 6 and 7 along Highway 40 be consistent with the landscaping on Lot 8 along Highway 40. The motion was seconded by Commissioner Broemmer.

Upon roll call, the vote was as follows:

Aye: Commissioner Perantoni, Commissioner Schenberg, Commissioner Watson, Commissioner Banks, Commissioner Broemmer, Commissioner Grissom, Commissioner Nolan, Chairman Hirsch

Nay: Commissioner Geckeler,

The motion passed by a vote of 8 to 1.

IX. NEW BUSINESS

A. Appointment of Nominating Committee

Chair Hirsch announced the appointment of the Nominating Committee consisting of Commissioners Geckeler, Perantoni, and Watson. Depending on the Committee's meeting schedule, it's possible that a report may be given at the June 11th meeting.

X. COMMITTEE REPORTS

A. Committee of the Whole

A meeting of the Committee of the Whole has been scheduled for **June 30th** – the time has yet to be scheduled. The meeting will be the annual training and discussion session of the Planning Commission.

B. Ordinance Review Committee

The Ordinance Review Committee will be scheduling two meetings in June. The first meeting will be for review of the final draft of the "Residential" ordinances, as well as discussion of the Architectural Guidelines. It is hoped that members of both the Architectural Review Committee and the Architectural Review Board will be able to attend this meeting.

The second meeting will deal with the issues of the “PC” and “PI” Districts.

XI. COMMENTS FROM THE MAYOR

Mayor Nations recognized Commissioners Broemmer and Schenberg. He stated that Commissioner Broemmer’s tenure on the Commission, along with his commitment to the City, is unparalleled. The Mayor stated that he has always enjoyed working with Commissioner Broemmer and everyone enjoys his amiable nature in all that he has contributed over the years. He thanked Commissioner Broemmer for his service to the City commenting that “he is a tremendous human being and a tremendous public servant”.

Mayor Nations stated that it is his great pleasure to be nominating Commissioner Schenberg to fill the unexpired term of Councilmember Durrell, who recently resigned from City Council for family reasons. The Mayor noted Commissioner Schenberg’s diligence, his orientation to detail, and judgment and stated that he looks forward to serving with him as a Council member for Ward I.

Chair Hirsch thanked the Mayor for his comments and stated that the members of the Commission echo his feelings.

On behalf of the citizens he represents, Councilmember Hurt thanked Commissioner Broemmer for his service to the community and noted his work with the lighting specs for the City. He then welcomed Commissioner Schenberg to the City Council.

XII. ADJOURNMENT

The meeting adjourned at 8:35 p.m.

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David Banks, Vice-Chair