PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 14, 2007

The meeting was called to order at 7:02 p.m.

I. PRESENT **ABSENT**

Mr. David Banks — Mr. David Asmus
Mr. Fred Broemmer
Ms. Wendy Geckeler
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Gene Schenberg
Ms. Victoria Sherman
Chairman Maurice L. Hirsch, Jr.

Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Ms. Libbey Malberg, Assistant City Administrator
for Economic & Community Development
Mr. Mike Geisel, Acting Director of Planning
Ms. Annissa McCaskill-Clay, Assistant Director of Planning
Ms. Aimee Nassif, Senior Planner
Ms. Mara Perry, Senior Planner
Mr. Jarvis Myers, Project Planner
Ms. Jennifer Yackley, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner Broemmer

III. PLEDGE OF ALLEGIANCE – All

Chair Hirsch acknowledged the attendance of Councilmember Connie Fults, Council Liaison; Councilmember Jane Durrell, Ward I; Councilmember Lee Erickson, Ward II; Councilmember Bruce Geiger, Ward II; and Councilmember Bob Nation; Ward IV.

IV. PUBLIC HEARINGS – Commissioner Sherman read the "Opening Comments" for the Public Hearings. (It was noted that the projector on the audience side was not working – exhibits were displayed for the audience. Chair Hirsch announced that if anyone wanted a copy of the exhibits, copies were available at the back of the room.)

A. P.Z. 11-2007 J&T Holdings (612 & 614 Cepi): A request for a change of zoning from an "M3" Planned Industrial District to a "PC" Planned Commercial District for an approximately 0.75 acre tract of land located at 612 & 614 Cepi Drive south of the intersection of Chesterfield Airport Road and Cepi Drive. (17V330122)

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

- The petition was presented at a Public Hearing in April. However, there was a discrepancy in the legal description published at that time. The correct legal description has been re-published for this Public Hearing.
- The Petitioner is requesting a rezoning for the entire 0.75 acre site.
- Permitted Uses being requested are as follows:
  - (e) Associate work and storage areas required by a business, firm or service to carry on business operations.
  - (x) Medical and dental offices.
  - (z) Offices or office buildings.
- There is an existing building on site, which the Petitioner intends to keep.
- The Comprehensive Land Use Plan designates the subject area as "Service Business Park".
- All of the requested uses are consistent with the Comprehensive Plan.
- The Petitioner is requesting a reduction in the parking requirement. City Code requires 28 parking spaces; the development has 26 spaces.
- If the Planning Commission chooses to reduce the parking requirement, it will need a separate majority vote for approval.
- Petitioner has addressed all other issues.

PETITIONER'S PRESENTATION:

1. Mr. Alan J. Agathen, 130 South Bemiston, Ste 610, St. Louis, MO stated the following:
   - They are in the process of sub-dividing the 0.75 acre site. The front part of the parcel, towards Cepi Drive, will be sold for the operation of a podiatry office.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES: None

B. P.Z. 15-2007 Cambridge Engineering (Kramer Commerce Center): A request for an amendment to City of Chesterfield Ordinance 1717 to amend the parking setbacks and development requirements for a 19.8 acre tract of land zoned "PI" Planned Industrial District located north of the intersection of Spirit Drive North and Chesterfield Airport Road, south of I-64/ U.S. 40-61, and west of Trade Center Boulevard. (17V610040, 17V620083, 17V620094, and 17V629402)

Senior Planner Mara Perry gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Perry stated the following:

- The subject site is accessed from Chesterfield Airport Road using Spirit Drive North. It can also be accessed through Long Road Crossing Drive.
- There is an existing Cambridge Engineering building located in the northeast corner of the site. The rest of the site is undeveloped at this time.
- The current parking setbacks are written such that it does not allow for any shared driveways. The Petitioner is requesting shared driveways.
- Current language:
  No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress shall be located within the following setbacks:
  - Twenty-five (25) feet from the east and west district boundaries.
  - Ten (10) feet from internal property lines
- Proposed language:
  No parking stall, loading space, internal driveway, or roadway, except points of ingress and egress shall be located within the following setbacks:
  - Twenty-five (25) feet from the east and west boundaries of this development **with the exception of a shared driveway along the western property line of Lot 2 bearing N 10° 51' 03 " W north of Long Road Crossing Drive.**
  - Ten (10) feet from internal property lines **with the exception of shared driveways**.
- In order to be consistent with many of the other developments in this area, the Petitioner is requesting that the greenspace requirement be changed to openspace.
- The current Ordinance does not allow stormwater drainage structures to be included in the greenspace calculation. They are asking that this be removed.

- Current language:
  The district shall contain a minimum of thirty percent (30%) greenspace, excluding stormwater drainage structures. Greenspace is calculated by combining all green areas and non-paved surfaces and dividing by the total area of the site.
- Proposed language:
  A minimum of thirty percent (30%) openspace is required for this development.
- Staff has received all Agency Comments and has no open issues.

Chair Hirsch noted that this petition is on the agenda under "Old Business", which would allow a vote, at that time, if the Commission so desires.

PETITIONER'S PRESENTATION:

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
   - Ordinance 1717 for this site was approved on February 21, 2001. A Preliminary Plan went along with the rezoning, but the Preliminary Plan was never formalized into a Concept Plan and processed.
   - In the last 12-18 months, the road improvements and the infrastructure have been completed within the subject property and within other properties to the east and west – specifically, Long Road Crossing Drive and Spirit North.
   - The access has been relocated to the west at Spirit Drive North. The property has been bisected by an east/west road, known as Long Road Crossing Drive.
   - The property has been divided into three parcels:
     - A parcel south of Long Road Crossing Drive;
     - The main property as the existing Cambridge Engineering site. An expansion is proposed to the existing building.
     - A parcel immediately to the west, which is a five-acre tract. This tract has a proposed building.
   - The buildings, as shown, are consistent with the square footage shown within Ordinance 1717.
   - Trying to complete the process relative to the property required the dedication of the right-of-way for Long Road Crossing Drive. In order to process the Subdivision Plat, they were obligated to file a Concept Plan. In filing the Concept Plan, it was noticed that there would be technical difficulties with the Ordinance relative to the setbacks.
   - The Site Plan shows a driveway, which is basically an extension of Spirit Drive North, going north along the west side of the Cambridge building. This driveway is on the property line and shares the property line with the five acres to the west.
   - The technicality of a fifteen-foot setback precluded them from getting the road in. The text amendment would correct this issue.

- They are requesting that “openspace” vs. “greenspace” be applied to this development.
- The subject development abuts Terra Corporate Park immediately to the west. There is a common drainage channel, which has been constructed and which is vegetated. The drainage channel will be green as development comes in and it is maintained.
- Currently, under Ordinance 1717, the drainage channel is excluded from the greenspace calculation. They are asking that the language regarding stormwater facilities be deleted.

Responding to questions from the Commission, Mr. Stock stated the following:

- **Percentage of greenspace vs. openspace:** The Ordinance requires 30% greenspace. The Concept Plan will show 30%, or greater, openspace, which includes the drainage facilities.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES: None

C. P.Z. 18-2007 Stoneridge Office Building (Ordinance Amendment): A request for an amendment to City of Chesterfield Ordinance 2145 to amend the parking requirements for a 9.3 acre “PC” Planned Commercial District located east of Highway 40 and Timberlake Manor at 14532 South Outer Forty Drive (19R610026 and 19R610312)

Senior Planner Mara Perry gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Perry stated the following:

- The Petitioner is requesting the addition of 22 surface parking spaces on the site.
- The current Ordinance allows a maximum of 250 parking spaces; the Petitioner is asking for a total of 272 spaces. These spaces would be located outside the do-not-disturb area,
- Additional trees will be added to the parking area in conformance with the City’s Tree Manual.

PETITIONER'S PRESENTATION:

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
   - Stoneridge Holdings, LLC is the owner of the property and building. The tenant is Washington University Orthopedics and BJC.
   - Stoneridge is well under construction. BJC will take possession the first week of June. Landscaping will be going in very soon.
   - The Ordinance, as written, allows either the building, as constructed, or it allows a larger building with a parking garage. There are limitations within the Ordinance with respect to the amount of surface parking, although more parking would have been allowed if it was in a garage.
   - It is not feasible to construct a garage on the site. They are requesting an amendment to the Ordinance to allow 272 spaces vs. the current allowance of 250 spaces.
   - The site improvements have been constructed in conformity to the plan – the grading, the detention basin, and the retaining walls - so there would not be any changes to what has been constructed. Additional asphalt paving below the retaining would be required for the additional parking.
   - A few other changes are being made internal to the parking lot – additional landscaped islands are being added to meet the Tree Manual requirements.

2. Mr. Christopher Dean, BJC Engineering & Facilities, 9890 Clayton Road, St. Louis, MO was available for questions.

3. Mr. Ron Faulbaum, Washington University Orthopedics, 660 South Euclid Avenue, St. Louis, MO was available for questions.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES: None

Commissioner Schenberg asked how many parking spaces would be allowed if the parking structure had been built. Ms. Perry replied that if the structure existed, the maximum surface parking would be 20 spaces. The Ordinance does not address a specific number of spaces allowed in the structure; without a structure, they are allowed 250 surface spaces.

Commissioner Sherman read the Closing Comments for the three Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Sherman made a motion to approve the minutes of the April 23, 2007 Planning Commission Meeting as corrected below:

> Page 16
> In most circumstances, Staff would discourage the Commission ~~not to vote~~ **from voting** on a petition submitted by a Petitioner who is in violation.

The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT

RE: Mobil Mart (Clayton and Baxter)

Speaker – Neutral:

1. Mr. Dennis Bolazina, Attorney representing the residents of Woodfield Subdivision, 1A North Central Avenue, Clayton, MO stated the following:
   - Woodfield Subdivision borders the subject project on the north and west sides of the Site Plan. It is the only property that borders this development; the other two borders are streets in the City.
   - They feel that the present Site Plan is in substantial conformance to Ordinance No. 1803, which was a result of the recent litigation. The residents would like the Commission to consider the following concerns when approving the Amended Site Development Plan:
     - Lighting – In the negotiated Ordinance, there is a requirement that any light fixtures that are north and west of the new building be limited to eight feet in height. The present Lighting Plan shows the light fixtures to be 16 feet tall.
     - Drainage – Drainage issues were addressed by the Department. They want to make sure the inlet is a proper elevation and that water does not flow northward onto the adjacent property. There is a dimension on the plan that seems to indicate it is higher than the adjacent land, which would allow some ponding or overflow to the north. Mr. Mike Geisel, Assistant Director of Planning, indicated that this would be addressed during the improvement plan review.
     - Fence – There is an existing wood fence on the north and west property lines, which is not to be disturbed. If the fence is

disturbed, Ordinance 1803 requires that it be rebuilt or replaced. There are no indications on the Site Development Plan with respect to the disposition of the fence or a clear description of what the Petitioner intends to do with the fence.

- Detention Structure – The detention structure is designed to be underground. There is a notation on the drawing about a detention structure but it does not state that it is underground.
- Landscaping – Drawings were submitted to the Commission in February 2006 that indicated extensive landscaping behind the building and behind the masonry wall that will surround the turn-around that goes to the car wash. The actual Site Development Plan shows only four trees behind the building. If more landscaping is allowed, they would like to have it.

RE: P.Z. 9-2006 St. Luke's Episcopal Presbyterian Hospitals (Parcel D)

Speakers in Favor:

1. Ms. Jeanne Gieseke, Trustee of Green Trails Country Club Grounds, 14015 New Bedford Court, Chesterfield, MO stated the following:
   - In November, the residents had asked St. Luke's to move the planned buildings back from the edge of a cliff and to allow space for the planting of greenery, and particularly evergreens. The proposed buildings overlook the GreenTrails common grounds and homes on Saylesville Drive. There is concern about the impact on the view from the residents' back yards.
   - St. Luke's has agreed to move the buildings back 25 feet from the edge of the bluff and to construct a berm that would include a variety of plantings and evergreens.
   - The residents support the present plan and will support a variance that will be needed from the Board of Adjustment to get the 25-foot setback approved.

2. Ms. JoAnn Black, 148 Saylesville Drive, Chesterfield, MO stated the following:
   - Her property backs up to the common ground in the subdivision, which backs up to Parcel D.
   - She supports the current rezoning with the assumption that the details which have been worked out between the Subdivision representatives and St. Luke's Hospital will be implemented.
   - Speaker commented on the Staff Report:
     - The Petitioner has stated that "*The height of the trees is adequate to screen the buildings":* She noted that during about one-half of the year, when no foliage is on the trees, you can see directly through the trees.
     - The Staff Report includes pictures of Parcel D as it currently exists but there are no pictures of how the site looks from the properties that back up to it. Speaker stated that she had submitted some

photographs to the Commission last fall.

- The Petitioner has stated that "*We agree to plant trees now to insure a better buffer by the time construction begins in the future."* Speaker stated that no indication is given as to where these trees will be planted – whether on the Woods Mill Road side or on the western side.
- The Petitioner has stated that "*The development of Parcel D will comply with the City of Chesterfield Lighting Ordinance."* Speaker requested additional information as to how the lighting will be implemented.

- Speaker requested that the variance be approved allowing the buildings to be 25 feet closer to Woods Mill Road.

Commissioner Sherman informed Ms. Black that some of these issues would be reviewed during the Site Plan stage and invited her to address the Commission at that time.

Petitioner:

1. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
   - They appreciate the residents' support of the development.
   - They have been in contact with the residents on a regular basis.
   - They need the variance in order to build the berm. They are committed to building the berm if the variance is granted.

2. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

RE: P.Z. 10-2007 Surrey Place (St. Luke's Episcopal Presbyterian Hospital)

Petitioner:

1. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
   - They have answered all of the questions and issues. They have provided all the information requested to the Department of Planning.
   - The existing C.U.P. provides for 140 beds in the nursing facility and 100 self-care units.
   - If the amended C.U.P. is approved, the 100 self-care units will be eliminated; 140 beds will remain in the existing facility; and an additional 35 beds will be added to the rehabilitation facility.

2. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

RE: P.Z. 07-2007 Spirit Valley Business Park (18652, 18630, 18650, and 18660 Olive Road)

Petitioner:

1. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
   - They have responded to all of the issues.
   - There is only one outstanding issue with respect to the parking requirement. The Attachment A requires 4 spaces for every 1,000 square feet of development. This requirement is a reflection of the Master Plan Sub-Area guideline.
   - They are requesting that the parking requirement be changed to meet the City's code for the particular use in this development. Some uses would require more parking while other uses would require less parking.
   - Since the site is in a Planned Industrial area, they expect that the uses will be in the nature of office warehouse, equipment sales, services, and repair. These uses require less parking than 4 spaces/1,000.

2. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

3. Mr. Dan Hayes, 8235 Forsyth, St. Louis, MO stated he was available for questions.

RE: P.Z. 15-2007 Cambridge Engineering (Kramer Commerce Center)

Petitioner:

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

RE: P.Z. 16-2007 Valley Gates Subdivision (16845 N. Outer 40 Road)

Petitioner:

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

RE: MPD Investments, LLC (Larry Enterprises/Lynch Hummer Lot A1):

Petitioner:

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

RE: Tuscany Reserve

Petitioner:

1. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.

RE: P.Z. 14-2007a Wilson Bluffs (SMS Group, L.L.C.)

Petitioner:

1. Mr. Sean Sortor, 1707 Wilson Avenue, Chesterfield, MO stated he was available for questions.

RE: P.Z. 02-2007 The Estates at Upper Kehrs Mill (Miceli Construction):

Petitioner:

1. Mr. David Volz, 10849 Indian Head Industrial Boulevard, St. Louis, MO stated the following:
   - The current plan shows a ten-foot preservation area along the northern line. They are proposing that an amendment be made requiring a 25-foot no-disturb buffer. They would then work with the Department to adjust the cul-de-sac to make the buffer work.
   - The sewer line on the existing plan shows it running parallel to the property line, which they feel is a poor design. It is presently shown this way because this is the location of the easement that takes it to an existing sewer in the subdivision to the north. If they need to keep the sewer line parallel to the property line, it will be moved to the other side of the clearing so the proposed 25-foot buffer can be preserved. It is hoped the sewer line can be run perpendicular to the trees so that there would be only one area that needs to be cleared.

Responding to questions from the Commission, Mr. Volz stated the following:

- **Regarding the proposed 25-foot no-disturb buffer:** They do not plan to clear or grade the no-disturb area. The only thing that may affect this no-disturb area is the connection of the sanitary sewer line to the north.
- **Regarding moving the cul-de-sac to the south:** They are going to try and shorten the cul-de-sac and move it to the south if necessary. If it is moved to the south, there will be more clearing on the south but less effect on the residents neighboring the development.
- **Regarding the width of road and curbs/gutters:** If the Fire Marshall has no issue with a 20-foot wide road with no curb or gutter, they are agreeable to it. They could also reduce the right-of-way to 40 feet from the proposed 50 feet. Mr. Geisel stated that a 20-foot wide road with a rural cross-section would meet the E-One requirements. It was noted that the road is currently being shown as 26 feet wide. If the road is narrowed,

there would be a parking restriction on the roadway.

- **Regarding the possibility of eliminating the sidewalks on both sides or on the north side:** It was noted that sidewalks are not required for eight or fewer lots, which would mean sidewalks would not be required for the proposed development. Commissioner Geckeler stated that this would make the subdivision more compatible with Pacland Place by retaining some rural character.
- **Regarding water inlets for drainage if the streets are not curbed:** The goal is to work out a street design that minimizes grading to the north. Speaker said the street could possibly be 22-feet wide – 20-foot for driving with a curb and gutter on either side. If curbs are not constructed, some type of ditch will be provided to pick up the water, which will then be piped to the south into the detention basin.

Commissioner Geckeler asked how much the cul-de-sac would be shortened if a do-not-disturb line is established 25 feet from the cul-de-sac and whether it would be pulled back enough to take the pressure off the north slope. Mr. Geisel replied that the net result of requiring a 25-foot undisturbed buffer adjacent to the lots in Country Place would result in shifting the cul-de-sac 75 feet or more. Shortening the cul-de-sac, without moving it to the south, could be accomplished in a variety of ways.

Commissioner Geckeler requested a description of the tie walls shown on the plans as to where they are located in conjunction with the property on Country Place. Chair Hirsch noted that this would be part of the Site Plan review. Mr. Volz stated that walls will be along this line but they will not be in the no-disturb area. It will be a block wall.

Speakers in Opposition:

1. Mr. Mark Steinbrecker, Country Place subdivision, 17117 Chaise Ridge Road, Chesterfield, MO stated he has the following concerns:
   - Detention Pond to the South: He has concern about the proposed location of the detention pond being so near Country Place subdivision. He asked that the detention pond be moved closer to the proposed subdivision. The proposed location of the detention pond will make it visible from Country Ridge subdivision. He has concerns that the detention pond will be unsightly with weeds and will attract insects. He feels that it would adversely affect the property values of the homes in Country Ridge subdivision.
   - Lakes in the Country Ridge subdivision: One lake is a fresh-water, spring-fed lake that is not run-off. It is stocked with fish and is used by the entire subdivision as a recreation area. The subdivision pays for the maintenance of the lakes. The residents have concern that the proposed construction will fill the lakes with mud. Speaker noted that Miceli Construction has indicated that if any damage is done to the lakes, Miceli Construction will repair the lakes. The residents do not want Miceli

Construction fixing the lakes. They are asking that a bond be established for any necessary repairs to the lake. If the lakes are damaged, they want them professionally dredged and re-stocked with fish.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

A. **Bacana Brasil**: Amended Architectural Elevations for a 3.7 acre parcel zoned "C-8" Planned Commercial located on the north side of Chesterfield Parkway, east of Justus Post Road.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Amended Architectural Elevations. The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 8 to 0**.

B. **Larry Enterprises/Lynch Hummer (MPD Investments, LLC):** Amended Site Development Concept Plan and Conceptual Landscape Plan for a 14.11 acre parcel zoned "PI" Planned Industrial District located west of Boone's Crossing on the north side of North Outer Forty Road.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Amended Site Development Concept Plan and Conceptual Landscape Plan. The motion was seconded by Commissioner Banks and **passed by a voice vote of 7 to 1 with Commissioner Perantoni voting "no".**

C. **MPD Investments, LLC (Larry Enterprises/Lynch Hummer Lot A1)**: Site Development Section Plan, Landscape Plan, Lighting Plan, and Architectural Elevations for a 7.02 acre parcel zoned "PI" Planned Industrial District located west of Boone's Crossing on the north side of North Outer Forty Road.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Lighting Plan, Architectural Elevations and Landscape Plan with the condition that the Landscape Plan include a mixture of evergreen trees. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 7 to 1 with Commissioner Perantoni voting "no"**.

D. **Mobil Mart (Clayton and Baxter)**: Amended Site Development Plan, Landscape Plan, Lighting Plan and Architectural Elevations for a gas station/convenience store in a "PC" Planned Commercial District located on the northwest corner of Baxter and Clayton Roads.

Chair Hirsch asked if the Commission wanted to consider approving an amendment requiring a height of eight feet, or less, for the lighting on the north and west sides of the property.

Mr. Geisel clarified that the Lighting Plan would need to be revised but the Ordinance already requires an eight-foot maximum height for the light standards.

Commissioner Broemmer pointed out that the higher the standards are, and the higher wattage used, few standards are needed. When the height is lowered, more standards are needed to distribute the light.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Amended Site Development Plan, Landscape Plan, Lighting Plan and Architectural Elevations subject to the revision of the two lighting standards on the north and west sides of the property being reduced to eight feet in height.

Commissioner Geckeler inquired about the four trees being proposed on the Landscape Plan vs. the more extensive landscaping shown on the Concept Plan. Mr. Geisel stated the earlier renderings presented different landscaping than what is currently being proposed.

Commissioner Geckeler asked if the Commission could require more plantings. City Attorney Heggie stated he would research the matter to determine if this would be allowed. He noted that the dismissal of the litigation regarding this project involved a sample Site Development Plan, which was attached to Ordinance 1803. He would have to review the Plan to determine what was specified with respect to landscaping.

Commissioner O'Connor amended the motion to require additional landscaping on the north side in conformance with Ordinance 1803. The motion, as amended, was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0.**

E. **Pfizer PGM Biopharma Building Amended Site Development Concept Plan**: An Amended Site Development Concept Plan for a 200.51 acre lot of land located at the northeast corner of 700 Chesterfield Parkway West.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Amended Site Development Concept Plan. The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 8 to 0**.

F. **Pfizer PGM Biopharma Building Site Development Section Plan**: A Site Development Section Plan, Landscape Plan and Architectural Elevations for a 200.51 acre lot of land located at the northeast corner of 700 Chesterfield Parkway West.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Landscape Plan, and Architectural Elevations. The motion was seconded by Commissioner Perantoni and **passed by a voice vote of 8 to 0**.

G. **The Village at Olde Baxter Square:** A Record Plat for a 2.0 acre lot of land zoned "R-4" Residence District, under a Planned Environment Unit Procedure, located at the southwest corner of Old Baxter Road and Century Lake Drive.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Record Plat. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 8 to 0**.

H. **Tuscany Reserve**: A Site Development Plan, Tree Stand Delineation, Tree Preservation Plan, Landscape Plan, and Architectural Elevations for a 58.15 acre lot of land zoned "E-One Acre" Estate Residence District, and "E-Two Acre" Estate Residence District, located north of Strecker Road and east of Church Road.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Site Development Plan, Tree Stand Delineation, Tree Preservation Plan, and Landscape Plan. The motion was seconded by Commissioner Banks and **passed by a voice vote of 8 to 0**.

I. **Chesterfield Commons Six Lot 3 (Chick-Fil-A)**: Amended Sign Package for a "C-8" Planned Commercial District located on the north side of Chesterfield Airport Road and 1,450 feet west of Boones Crossing.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Amended Sign Package with the following changes to the menu board: (1) Staff to approve several conditions that would reduce the visibility of the menu board from Chesterfield Airport Road – such as, subdued color, the brightness of the internal lighting, any potential screening, and no exterior lighting of the menu board allowed. The motion was seconded by Commissioner Schenberg and **passed by a voice vote of 8 to 0**.

VIII. OLD BUSINESS

A. **P.Z. 9-2006 St. Luke's Episcopal Presbyterian Hospitals (Parcel D):** A request for a change of zoning from "NU" Non-Urban District, "FPNU" Flood-Plain Non-Urban District and "R1" Residence District/FPR1" Flood-Plain Residence District to "MU" Medical Use District for four (4) parcels of land located ¼ mile north of the Woods Mill and Conway Roads intersection. The total area to be rezoned 14.0 acres. (Locator Numbers: 18Q420023,18Q510014,18Q510025, 18Q510036)

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, stated Staff is recommending one change to Section I.C.3.a. of the Attachment A as follows:

> A minimum of ~~70.3% greenspace~~ **69% openspace** is required for this development.

There are no outstanding issues.

Commissioner Sherman made a motion to approve P.Z. 9-2006 St. Luke's Episcopal Presbyterian Hospitals (Parcel D) with the amendment to Section I.C.3.a. of the Attachment A changing "70.3% greenspace" to "69% openspace". The motion was seconded by Commissioner Perantoni.

Upon roll call, the vote was as follows:

Aye: Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Commissioner Sherman, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Chairman Hirsch

Nay: None

The motion passed by a vote of 8 to 0.

B. P.Z. 02-2007 The Estates at Upper Kehrs Mill (Miceli Construction): A request for a change of zoning from "NU" Non-Urban to "E" One Acre District for a 10.2 acre tract of land located on the eastern side of Kehrs Mill Road, 4,100 feet south of its intersection with Wild Horse Creek Road. (19U530062, 19U530392)

Mr. Geisel, Acting Director of Planning, proposed the following addition to Section I.E. of the Attachment A regarding "Landscape and Tree Requirements":

3. A twenty-five foot undisturbed buffer is to be retained adjacent to the north and east out boundary with the following bearings: S01°05'16"W; S88°50'07"E; S76°29'43"E; S58°08'40"E; and N85°17'24"E. One perpendicular penetration will be permitted within said undisturbed buffer, not to exceed twenty-five feet in width, to allow for utility connections.

City Attorney Heggie noted that, at the suggestion of the Commission, language has been added to the Attachment A requiring lake surveys and setting the bonds. Ms. McCaskill-Clay added that the language requires a pre- and post-construction survey of the property. The survey is to be done within 12 months of completion of the development, or two years from the start of the development, whichever is greater. If any damage has occurred, the lakes are to be returned to pre-construction condition within three months of the post-construction survey.

It was noted that the issue relating to the width of the road is Site Plan criteria. Mr. Geisel stated that the minimum width requirement is 20 feet.

It was also noted that the Subdivision Ordinance does not require sidewalks for subdivisions consisting of eight lots or less.

Commissioner Schenberg made a motion to approve P.Z. 02-2007 The Estates at Upper Kehrs Mill (Miceli Construction) with the addition to Section I.E. of the Attachment A regarding "Landscape and Tree Requirements" as proposed above. The motion was seconded by Commissioner Sherman.

Commissioner Geckeler stated she would be voting "no" on the petition although she felt the plan was nearing a better solution for the neighboring residents.

Upon roll call, the vote was as follows:

Aye: Commissioner Perantoni, Commissioner Schenberg, Commissioner Sherman, Commissioner Banks, Commissioner Broemmer, Commissioner O'Connor, Chairman Hirsch

Nay: Commissioner Geckeler

The motion passed by a vote of 7 to 1.

C. P.Z. 07-2007 Spirit Valley Business Park (18652, 18630, 18650, and 18660 Olive Road): A request for a change of zoning from "NU" Non-Urban to "PI" Planned Industrial for 52.89 acres of land located south of Olive Street Road, east of Wardenburg. (17W420057, 17W420035, 17W230010, 17W230021)

Ms. Aimee Nassif, Senior Planner, stated the Public Hearing was held on February 26, 2007 at which time several issue were identified, which have all been addressed. The site is located in Sub-Area 1 of the Comprehensive Plan, which calls for the parking requirement to be 4 spaces/1,000 square feet of development regardless of use. The Petitioner is requesting that the parking standard be changed to the regular standard of the Zoning Ordinance, which would allow parking according to the use.

Chair Hirsch stated that a separate motion would be needed for the parking requirement if the Commission so desired to change it. If the parking requirement is changed as requested, it could be more, or less, than 4 spaces/1,000 square feet depending upon the use.

Commissioner Broemmer made a motion to amend Section I.D.1. of the Attachment A regarding "Parking and Loading Requirements" as follows.

~~Parking and loading spaces for this development will be 4 spaces for every 1,000 square feet of development.~~ **Parking shall be as required in the City of Chesterfield Zoning Ordinance.**

The motion was seconded by Commissioner O'Connor and **passed by a voice vote of 8 to 0.**

Commissioner Schenberg made a motion to approve P.Z. 07-2007 Spirit Valley Business Park (18652, 18630, 18650, and 18660 Olive Road), as amended. The motion was seconded by Commissioner Geckeler.

Since the property is next to an historic building, Commissioner Perantoni asked how the Staff flags such sites. Ms. Nassif replied that the Department has a list of all the historic structures in the City, which is checked when a new zoning petition is received. Staff contacts Mr. Dan Rothwell, Landmarks Preservation Commission, when historic property is involved. Any concerns and issues are then included in the Staff Report. Mr. Rothwell has been contacted about the subject petition but did not raise any concerns about the historic structure.

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

Aye: Commissioner Schenberg, Commissioner Sherman, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Chairman Hirsch

Nay: None

The motion passed by a vote of 8 to 0.

D. P.Z. 10-2007 Surrey Place (St. Luke's Episcopal Presbyterian Hospital): A request to amend Conditional Use Permit Number 561 to add hospital as a permitted use for an approximately 10.751 acre tract of land located at 14701 Olive Boulevard, east of the intersection of Ladue Road and Olive Boulevard. (17R530197)

Ms. McCaskill-Clay proposed the following typographical correction to the draft Conditional Use Permit regarding "All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified below":

1. All buildings shall not exceed ~~one (1)~~ **two (2)** building levels in height, exclusive of basement and cellar areas, underground parking, architectural features and rooftop mechanical equipment.

It was noted that the change would make the height consistent with the height of the existing development. The Petitioner has indicated that they intend to match the height of the existing buildings, and would not go any higher.

All proposed amendments discussed at the April 23rd Planning Commission meeting have been included in the Attachment A. A copy of the Certificate of Need has been included with the Staff Report, along with information regarding accident reports for the area and the Traffic Study conducted when the Kendall Bluffs development was being proposed.

It was noted that all self-care units have been eliminated from the C.U.P. at the

Petitioner's request since the use is currently not on the site and there is no intention of adding it.

Commissioner Schenberg made a motion to approve P.Z. 10-2007 Surrey Place (St. Luke's Episcopal Presbyterian Hospital with the typographical correction noted above regarding two building levels being allowed. The motion was seconded by Commissioner Broemmer.

Upon roll call, the vote was as follows:

Aye: Commissioner Sherman, Commissioner Banks, Commissioner Broemmer, Commissioner Geckeler, Commissioner O'Connor, Commissioner Schenberg, Chairman Hirsch

Nay: Commissioner Perantoni,

The motion passed by a vote of 7 to 1.

E. P.Z. 11-2007 J&T Holdings (612 & 614 Cepi): A request for a change of zoning from an "M3" Planned Industrial District to a "PC" Planned Commercial District for an approximately 0.75 acre tract of land located at 612 & 614 Cepi Drive south of the intersection of Chesterfield Airport Road and Cepi Drive. (17V330122)

Chair Hirsch stated that a separate vote would be required if the Commission desires to change the parking requirement.

Ms. Jennifer Yackley, Project Planner, stated there are no outstanding issues and all Agency comments have been received. The Petitioner is requesting a reduction in the parking calculation from 28 spaces to 26 spaces.

Commissioner Broemmer made a motion to reduce the required parking spaces from 28 spaces to 26 spaces. The motion was seconded by Commissioner Perantoni.

Commissioner Banks expressed concern about reducing the parking requirement. He felt that if the Commission continues to grant parking reductions, it will affect the City's density.

Commissioner Broemmer expressed his agreement with Commissioner Banks regarding approval of parking reductions. However, he felt each request should be reviewed on its own merit. He did not think reducing the parking for this site by two spaces would considerably affect the site. Commissioner Banks noted that the parking reduction request for this site is nearly 10%, which he felt was a fairly

significant percentage.

Commissioner Schenberg noted that the site is an existing 26-space lot with no additional construction being added. This is the Petitioner's opportunity to change the requirement because the building is being separated.

Ms. Yackley stated that because the Petitioner is rezoning from M3, which has a parking requirement of 3.3 spaces/1,000 square feet, to PC with a medical use, it increases the parking requirement to 28 spaces.

Commissioner Schenberg asked if the Petitioner has a hardship, or reason, for not including the two additional parking spaces as part of the separation of the buildings. Ms. Yackley replied that there is a ditch at the back of the site, which would prevent the addition of any parking in the back. The site is now at 35% openspace, adding additional parking spaces would reduce the openspace.

Commissioner O'Connor stated that the particular medical use for this site is a podiatry office, which she noted is a very low-intensity medical use. She did not feel the parking needed to be increased in this particular case.

Commissioner Banks pointed out that the medical use for the site could change in the future. Commissioner O'Connor noted that the small size of the building would probably limit a "serious" medical use.

The motion to reduce the parking requirement passed by a voice vote of 7 to 1 with Commissioner Banks voting "no".

Commissioner Perantoni made a motion to approve P.Z. 11-2007 J&T Holdings (612 & 614 Cepi), as amended. The motion was seconded by Commissioner Schenberg.

Upon roll call, the vote was as follows:

Aye: Commissioner Broemmer, Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Commissioner Sherman, Chairman Hirsch

Nay: Commissioner Banks

The motion passed by a vote of 7 to 1.

F. **P.Z. 14-2007a Wilson Bluffs (SMS Group, L.L.C.):** A request for a change of zoning from "NU" Non-Urban District to "E-One Acre" Estate District for a 3.28 acre tract of land located on the west side of Wilson road, directly north of Wilson Manors II Subdivision.

Ms. McCaskill-Clay stated that the original petition was for a change of zoning from Non-Urban to E-Half Acre Estate District. After the Public Hearing, the Petitioner changed his request to an E-One Acre District and was able to meet the Zoning Ordinance requirements, therefore, there is no Attachment A for this development.

Commissioner Geckeler made a motion to approve P.Z. 14-2007a Wilson Bluffs (SMS Group, L.L.C.). The motion was seconded by Commissioner Banks.

Since there is no Attachment A, Councilmember Fults expressed concern about the easement to the back property and making sure that anyone who buys the front two lots will know that there will have to be a construction easement for further development.

Ms. McCaskill-Clay stated that this is a requirement of the Subdivision Ordinance – properties cannot be left landlocked. The Petitioner will have to provide access to the rear portion, regardless of when it is developed.

City Attorney Heggie stated that "notice language" could be included specific to this particular problem and the particular landowners, as they come through the sale process.

Mr. Geisel stated that, under the current configuration, only one house can be built on the front lot. The only way a second house could be built would be by sub-dividing the property. The only way the property can be sub-divided is through a lot-split process and the City acquires the easement. There is an existing easement that accesses the rear property, but it is not sufficient for City standards. Ms. McCaskill-Clay added that the property cannot be sub-divided as it is currently zoned. When the Petitioner plats, he will have to show how access will be provided.

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

Aye: Commissioner Broemmer, Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Commissioner Sherman, Commissioner Banks, Chairman Hirsch

Nay: None

The motion passed by a vote of 8 to 0.

G. P.Z. 15-2007 Cambridge Engineering (Kramer Commerce Center): A request for an amendment to City of Chesterfield Ordinance 1717 to amend the parking setbacks and development requirements for a 19.8 acre tract of land zoned "PI" Planned Industrial District located north of the intersection of Spirit Drive North and Chesterfield Airport Road, south of I-64/U.S. 40-61, and west of Trade Center Boulevard. (17V610040, 17V620083, 17V620094, and 17V629402)

Ms. Mara Perry, Senior Planner, stated that the Public Hearing was held earlier this evening. Staff has no outstanding issues and all Agency comments have been received.

Commissioner Broemmer asked what the result would be if the Ordinance is not amended. Mr. Geisel stated that the net result would be two roadways parallel to each other separated by 30 feet of greenspace – resulting in duplicate pavement.

Commissioner Perantoni asked what the maximum building height is. Ms. Perry stated that the Petitioner is not asking for a height change. Ordinance 1717 currently has a maximum building height of two stories, or 30 feet, whichever is less.

Commissioner Banks expressed concern about changing the greenspace requirement to an openspace requirement. He asked what the requirement is for the surrounding, already-zoned properties and whether the requirement is based on greenspace or openspace. Ms. Perry noted the following:

- Chesterfield Exchange is currently greenspace.
- Waller-Hoch is currently greenspace.
- Terra Corporate Park is openspace.
- Long Road Lipton Parcel (Vantage Pointe) is openspace.
- Long Road Crossing is openspace.
- Sentrus is openspace.
- Spirit of St. Louis Corporate Center is openspace.

The above all have the same general requirements regarding percentage.

Commissioner Banks noted that an objective was established, based upon greenspace, for the site. If the requirement is changed from greenspace to openspace, the drainage ditches get included in the calculation. Such a change would affect the density by what could be built on the property – he expressed concern that it would allow more density.

Ms. George Stock stated that the current Ordinance has square footage limits. Ms. Perry pointed out that the Attachment A's are currently being written without square footage limits. The Attachment A states that they must be able to park the site – they are limited by height, the ability to park the site, and the openspace. The openspace allows them to count sidewalks and any other open plazas - currently, they are not allowed to count them. The proposed change would require a minimum of 30% openspace vs. 30% greenspace.

Commissioner Broemmer agreed with Commissioner Banks' concern that changing the language to openspace would allow the inclusion of more items in the calculation thereby reducing the greenspace.

Mr. Stock stated that they do not intend to increase the amount of square footage on this project. He added that they have requested the change to openspace because they have decorative concrete around the buildings of which they would like to take advantage. He noted that previously a drainage ditch ran through the middle of the site and there was not a drainage channel along the highway; in addition, the drainage channels along the side property lines were different. New drainage channels have all been constructed. Their goal is to develop consistency among the current standards, which now utilize openspace.

Mr. Geisel pointed out that under the current Subdivision Ordinance, the Zoning Ordinance, and the Tree Manual, there is no greenspace requirement – all references are made to openspace. There is only an historical reference to, and definition of, greenspace.

Commissioner Perantoni expressed concern about voting on a petition the same night the Public Hearing is held. Ms. Nassif replied that several months ago, Staff was asked to add items to the agenda when there is the possibility it could be voted upon. Staff adds these items to the agenda when Staff has everything completed. This way the Commission is allowed the option to vote if so desired. If completed items are not added to the agenda, they cannot be voted upon.

Commissioner Sherman stated when the terminology was changed from greenspace to openspace, she spoke very strongly for the change. She prefers the openspace requirement because it does not discourage developers from adding sidewalks to their sites.

Commissioner Sherman asked if the drainage ditches, which are now eliminated from the site, were part of the greenspace calculation. Ms. Perry stated that they were not part of the greenspace calculation for this particular site. Under the openspace requirement, drainage ditches are included in the calculation.

Commissioner Sherman made a motion to approve P.Z. 15-2007 Cambridge Engineering (Kramer Commerce Center) with the condition that the original square footage be added to the Attachment A. The motion was seconded by Commissioner Geckeler.

Upon roll call, the vote was as follows:

Aye: Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Commissioner Sherman, Commissioner Banks, Commissioner Broemmer, Chairman Hirsch

Nay: None

The motion passed by a vote of 8 to 0.

H. P.Z. 16-2007 Valley Gates Subdivision (16845 N. Outer 40 Road): A request for an amendment to City of Chesterfield Ordinance 2154 to allow for a change to the parking and building setbacks, building height and number of permitted buildings for a 7.698 acre tract of land zoned "PC" Planned Commercial located north of North Outer Forty and east of Boone's Crossing at 16845 North Outer Forty Road. (17T520073)

Ms. Aimee Nassif, Senior Planner, stated the Public Hearing was held April 23, 2007. The Petitioner is requesting an Ordinance Amendment to allow an increase in the number of buildings that can be built; to allow an increase in height from two stories to three stories; and to amend some of the setbacks. When the original Ordinance was written, only two buildings were allowed on the site. The Attachment A is written so that all buildings can be three stories in height, with the exception of retail buildings, which are limited to two stories in a PC District. The Attachment A meets all the requirements of the Zoning Ordinance and the Comprehensive Plan. All issues have been addressed.

Commissioner Schenberg made a motion to approve P.Z. 16-2007 Valley Gates Subdivision (16845 N. Outer 40 Road). The motion was seconded by Commissioner Broemmer.

Commissioner Perantoni stated she would be voting against the petition. She noted that the site lies very closely to the urban core and she feels that three-story buildings are inappropriate for this area.

Ms. Nassif stated that the Attachment A could include a specific height number. The Zoning Ordinance for PC only refers to "stories"; it does not reference specific height.

Mr. Stock stated that 45 feet maximum height would be acceptable for a three-story building, excluding the parapet and mechanical screening.

Commissioner Schenberg amended the motion to include amending the Attachment A to limit the height to 45 feet, excluding parapets and mechanical screening. Commissioner Broemmer accepted the amendment.

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

Aye: Commissioner Geckeler, Commissioner O'Connor, Commissioner Perantoni, Commissioner Schenberg, Commissioner Sherman, Commissioner Banks, Commissioner Broemmer, Chairman Hirsch

Nay: None

The motion passed by a vote of 8 to 0.

IX. NEW BUSINESS

A. Appointment of Nominating Committee

Chair Hirsch stated that the members of the Nominating Committee would be announced at the May 30th meeting. The Nominating Committee will make its report at the June 11th meeting.

B. Commissioner Resignation

Commissioner Sherman informed the Commission that she has tendered her resignation on the Planning Commission effective the end of June, unless a replacement is appointed before that time. She noted that she has served a total of twelve years on the Commission and is interested in putting her energy in other projects at this time.

Chair Hirsch acknowledged the Commission's appreciation of her service.

C. FAR 150 Report

Chair Hirsch announced that the FAR 150 Report has been received from the Airport. The Commission asked Mr. Geisel to review the report and to advise of any substantive issues that would cause the Commission to re-look at the Comprehensive Plan or other policy issues. He was asked to specifically review Recommendation #9.

Commissioner O'Connor stated that she would like information on anything related to the noise contours that may impact the decisions the Commission has made.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 9:02 p.m.

_____

David Banks, Secretary