

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MAY 13, 2013**

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

I. ROLL CALL

PRESENT

Ms. Laura Lueking
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Steven Wuennenberg
Chair Michael Watson

ABSENT

Ms. Wendy Geckeler

Councilmember Connie Fults, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. John Boyer, Senior Planner
Mr. Justin Wyse, Senior Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

Chair Watson acknowledged the attendance of Councilmember Connie Fults, Council Liaison.

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

- A. P.Z. 08-2013 16889 Chesterfield Airport Rd.:** A request for a zoning map amendment from “M-3” Planned Industrial District to “PC” Planned Commercial District for 0.709 acres located on the north side of Chesterfield Airport Rd., approximately 1,000 feet east of Chesterfield Commons Dr. (17T230189).

STAFF PRESENTATION:

Senior Planner John Boyer gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Boyer stated the following:

- All Public Hearing notification requirements have been met per State statute and City code.
- Access to the site exists at the signalized entrance of Chesterfield Airport Road and Chesterfield Commons East Drive. The access drive wraps around the site and is used by the Kemp Auto Museum for access to their site.
- In 1990, City of Chesterfield Ordinance #587 changed the zoning for this site from “NU” Non-Urban to “M-3” Planned Industrial District. Ordinance #587 is the current governing ordinance for this lot.
- Requested Permitted Uses:
 - (26) Coffee Shop
 - (28) Commercial Service Facility
 - (70) Office, Dental
 - (71) Office, General
 - (76) Professional and Technical Services Facility
 - (84) Restaurant, Takeout
 - (87) Retail sales establishment neighborhood
- The main reason for the rezoning is that none of the requested uses are allowed under the current “M3” zoning. The “M3” zoning for the site basically allows warehouse and open storage, which is not the Applicant’s intent for the site.
- The site is mostly surrounded by Planned Commercial Districts, which would make the requested zoning more in compliance with the area.
- The Preliminary Plan shows a one-story building at the front of the lot set back 30 feet with a 30-foot landscape buffer; parking is at the rear of the site. The site will use the existing signalized access.
- The Planned Commercial District allows for a Floor Area Ratio of .55. Based upon the proposed one-story building, the density for the site would be .18.
- Open space is at 35%.
- The Applicant is requesting an exception to the landscape buffer requirement along the rear of the property from 30 feet to 11 feet. They are requesting the exception because (1) the existing access road is within the buffer; and (2) they would like the option of having additional parking off this access strip.
- The Comprehensive Land Use Plan designates the site as *Mixed Commercial Use*. The proposed uses are in compliance with the *Mixed Commercial* designation. The Applicant’s intent is to provide a mixed commercial environment with the predominant use being a dental office.
- Items for Consideration:
 - Exception to 30’ Landscape Buffer
 - Proposed Uses

Discussion

Commissioner Lueking asked if the proposed drive onto Chesterfield Airport Road would be limited to a left-out. Mr. Boyer replied that the drive is an existing signalized access.

Commissioner Lueking asked for the open space percentage. Mr. Boyer replied that it is at 35%. Ms. Nassif pointed out that the Planned Commercial District requires 35% open space so the proposal currently meets the code requirement.

City Attorney Heggie asked if the site is large enough to accommodate a two-story building. Ms. Nassif indicated that a two-story building would be permitted if the parking was underground, or on the first level, because the site is substantially under the required density. Whatever is constructed will have to be “backed into” the site considering the requirements for parking, open space, landscape buffers, and the MSD channel. Mr. Boyer confirmed that the Applicant is only proposing a one-story building for the site.

PETITIONER’S PRESENTATION:

1. Mr. Tim Meyer, Volz Incorporated, 10849 Indian Head, St. Louis, MO - representing Pacific Dental

Mr. Meyer stated that Pacific Dental is a dental management group that develops small parcels of land with a dental office. They then team up with local dentists to utilize the space with Pacific Dental managing it. They have approximately 320 such spaces throughout the country with several in the St. Louis area, and are headquartered in California.

Discussion

Commissioner Lueking asked for clarification regarding the Project Narrative prepared by Volz Incorporated which states: *Pacific Dental Services, Inc. provides shopping centers with a long term professional tenant that generates significant traffic in the center.* Mr. Meyer replied that the verbiage was provided by Pacific Dental Services, but in this particular case, it is not felt that the proposed use will generate significant traffic. The proposed dental office is approximately 3,000 square feet. They also hope to bring in another 2,000 square-foot use, such as a coffee shop or carry-out restaurant, that would serve the dental customers.

City Attorney Heggie asked if Pacific Dental would retain ownership of the property. Mr. Meyer responded that Pacific Dental would maintain ownership and would manage it. They would also provide the non-clinical staff for the site while renting out the space to a local dentist and his clinical staff.

Chair Watson inquired into the number of dentists that would utilize the facility. Mr. Meyer stated that he thinks it is only one but he will confirm that number.

Ms. Nassif asked for the total number of employees who will be working at the facility. Mr. Meyer indicated that he will provide this information for the next meeting.

Commissioner Midgley asked about the location of the parking. Mr. Meyer stated that they are proposing to place the building at the front of the site closest to Chesterfield Airport Road with parking behind the building. There will be a 30-foot landscaped buffer in front of the building. The existing drive comes into the site from a signalized intersection and loops around to the left and serves the existing Kemp Auto Museum. The drive is within the existing easement.

Commissioner Midgley then asked how far back the drive is from Highway 40. Mr. Meyer replied that it is approximately 20-22 feet from the property line. With the requested three parking spaces on the north side of the site, there is still almost 80 feet of green space from there to the pavement of Highway 40. It was noted that this 80-foot space consists of MoDOT right-of-way.

Commissioner Lueking noted that the Petitioner is asking for a reduction to the 30-foot buffer. Mr. Meyer confirmed that a 30-foot buffer is required; the existing drive is about 21 feet from the property line and is already encroaching within the 30-foot buffer area.

Commissioner Lueking pointed out that the requested rezoning opens the site up for compliance to City regulations. The Commission could deny the requested reduction to the buffer area requiring that the drive be relocated.

Commissioner Lueking asked for clarification that no drive-thru is intended for the site. Mr. Meyer confirmed that no drive-thru is proposed.

Chair Watson asked if there will be any visual delineation between the parking area and the driveway into the Kemp property – such as a landscaped buffer to insure that the drive is not used for parking. Mr. Meyer thought that signage could be utilized directing motorists to the parking area – or signage indicating that the drive is a *no-thru drive*. Ms. Nassif stated that the drive will be a shared access with both Kemp Museum and the Blue Ocean property. She agreed that signage could be used leading drivers to the parking area.

Councilmember Fults asked if the requested three parking spaces would be within the 11-foot landscape buffer. Mr. Meyer replied that there is 22 feet from the road to the property line and they want to use an additional 10 feet of it for three additional parking spaces. Ms. Nassif stated that Staff is reviewing this issue to determine if the additional parking is required. She noted that a dental office only requires four parking spaces per 1,000 square feet.

Councilmember Fults also expressed her concern about possible parking on the drive area. Chair Watson feels there needs to be a physical barrier to delineate the access road.

Commissioner Nolan referenced the bump-out on the parking area as shown on the left side of the Preliminary Plan and inquired as to the reason for it. Mr. Meyer stated that the bump-out will allow a vehicle parked in the westernmost parking space to back out into the bump-out area for easier exit from the lot.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:

1. Delineation between the driveway and the parking area
2. Additional three parking spaces on the north side of the site
3. Total number of employees at the site

Commissioner Puyear read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING SUMMARY

Commissioner Nolan made a motion to approve the Meeting Summary of the April 22, 2013 Planning Commission Meeting. The motion was seconded by Commissioner Lueking and passed by a voice vote of 7 to 0.

VI. PUBLIC COMMENT

A. Chesterfield Commons Six, 2nd Amended Sign Package

Petitioner:

1. Mr. Jeff Greene, Owner and Operator of Chick-fil-A in Chesterfield Valley, 17365 Chesterfield Airport Road, Chesterfield, MO thanked the Commission for their work over the past year as they worked to expand both the kitchen and drive-thru operations at Chesterfield. He then stated he was available for questions.
2. Mr. Joseph Latimer, 5200 Buffington Road, Atlanta, GA

Discussion

Commissioner Lueking asked if there is any other option to the proposed LED lighting for the Open/Closed signage as she has concerns it will set a precedent. She feels that there won't be a need to close the lanes at this location but suggested that, if necessary, a cone could be placed in the drive-thru aisle to indicate when a lane is closed.

Mr. Greene replied that Chick-fil-A has been working with the multi-lane order point concept for over a decade, and agreed that there are some restaurants in the country that never close a lane because of the high volume of customers. In the Valley, the peak hours relate to the lunch and dinner hours. The off-peak hours are from 6:00-11:00 am and 7:00-10:00 pm when they do not anticipate having two lanes open the entire time.

Chair Watson asked if the other facilities have Open/Closed signs. Mr. Greene indicated that they do.

Commissioner Nolan suggested that red and green lights be used instead of the Open/Closed signs.

Mr. Latimer stated that they have to be able to indicate to their customers if lanes are opened or closed. In some cases in the past, they have used a back-lit Open/Closed sign but the LED sign looks better.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. Chesterfield Commons Six, Lot 3 (Chick-fil-A):** A Second Amended Site Development Section Plan, Amended Landscape Plan and Amended Elevations for a 1.28 acre tract of land zoned "C-8" Planned Commercial District located on the north side of Chesterfield Airport Road and west of Boone's Crossing.

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the Second Amended Site Development Section Plan, Amended Landscape Plan, and Amended Elevations for **Chesterfield Commons Six, Lot 3 (Chick-fil-A)**. The motion was seconded by **Commissioner Wuennenberg** and **passed** by a voice vote of 7 to 0.

- B. Chesterfield Commons Six, 2nd Amended Sign Package:** A 2nd Amended Sign Package to allow for an additional menu board on Lot 3 of Chesterfield Commons Six

Commissioner Nolan, representing the Site Plan Committee, made a motion recommending approval of the 2nd Amended Sign Package for **Chesterfield Commons Six**. The motion was seconded by **Commissioner Wuennenberg** and **passed** by a voice vote of 6 to 1 with Commissioner Lueking voting "no".

VIII. OLD BUSINESS - None

IX. NEW BUSINESS

- A.** Appointment of Nominating Committee

Chair Watson announced that he has appointed members to this year's Nominating Committee.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:38 p.m.

Stanley Proctor, Vice-Chair