



**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
May 8, 2000**

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

I. PRESENT

Mr. David Banks
Mr. Fred Broemmer
Mr. Charles Eifler
Mr. Mike Kodner
Ms. Stephanie Macaluso
Ms. Rachel Nolen
Ms. Victoria Sherman
Chairman Dan Layton, Jr.
Mr. Doug Beach, City Attorney
Councilmember John Nations, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Laura Griggs-McElhanon, Assistant Director of Planning
Ms. Kathy Lone, Executive Secretary/Planning Assistant

ABSENT

Mr. Jerry Right

II. INVOCATION: Commissioner Macaluso

III. PLEDGE OF ALLEGIANCE: All

Chairman Layton recognized the attendance of Councilmember John Nations (Ward II) as Council Liaison.

Chairman Layton welcomed Mr. Mike Kodner to the Planning Commission replacing Councilmember John Nations.

IV. PUBLIC HEARINGS:

Commissioner Banks read the first portion of the "Opening Comments."

- A. **P.Z. 3-2000 Highway 40 Park, Lot C:** A request for a change in zoning from a "FPNU" Flood Plain Non-Urban District to a "PC" Planned Commercial District for a 6.8 acre tract of land located on Long Road, south of Highway 40 and north of Chesterfield Airport Road.

Proposed Uses:

- Animal hospitals, veterinary clinics, and kennels;
- Associated work and storage areas required by a business, firm, or service to carry on business operations;
- Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly;
- Automotive vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections;
- Barber Shops and beauty parlors;
- Bookstores;
- Broadcasting studios for radio and television;
- Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications;
- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- Colleges and universities;
- Dry cleaning drop-off and pick-up stations;
- Filling stations, including emergency towing and repair services, provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours;
- Film drop-off and pick-up stations;
- Fishing tackle and bait shops. Open storage and displays are prohibited;
- Financial institutions;
- Hotels and motels;
- Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or placed underground; or
 - (ii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning.

- Medical and dental offices;
- Offices or office buildings;
- Outpatient substance abuse treatment facilities;

- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Police, fire, and postal stations;
- Public utility facilities;
- Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters including drive-in theaters;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, fast food;
- Restaurants, sit down;
- Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training;
- 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;
- Permitted signs (See Section 1003.168 'Sign Regulations');
- Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods;
- 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;
- Vehicle repair facilities for automobiles;
- Vehicle service centers for automobiles;
- Vehicle washing facilities for automobiles.

Assistant Director of Planning Laura Griggs-McElhanon gave a slide presentation of the subject site and surrounding area.

1. Mr. Joe Grimes, J.R. Grimes Consulting Engineers, Inc., 12300 Tesson Road, St. Louis, MO 63128, engineer for P.Z. 3-2000 Highway 40 Park, Lot C;

- Developer is Kehr Properties;
- Site is located on the northeast corner of Chesterfield Airport Road and Long Road;
- Site is 6.8 acres but less than 2 acres will be built on;
- Site is currently zoned "M-3 FPNU" and rezoning to "PC" Planned Commercial District;
- Plan currently shows a restaurant but any of the proposed uses could be built there;

- Site is a 3-lot subdivision (Lots A, B, and C). This petition is only for Lot C. Lot A will need to come before the Planning Commission later to be rezoned. Lot B has been rezoned.
- Site is accessed from Chesterfield Airport Road by a private drive, called Caprice Drive (the road which also services the Lou Fusz car dealership) and has rights to the private drive by a 60-foot wide ingress/egress easement that was recorded with the original subdivision;
- Site is relatively flat and a majority of the site will be used for storm water control in accordance with the Valley Storm Water Plan;
- Site will be served by sanitary sewers in accordance with the Valley Plan. It will come down Caprice Drive and go east to Chesterfield Airport Road. All utilities are available on Chesterfield Airport Road;
- Detention will also be used for sites on the other side of Long Road;
- Retention pond will be dry when not containing storm water.

Commissioner Banks questioned some of the uses that the petitioner is requesting on property this close to the highway.

The Planning Commission unanimously decided not to send this petition to the Architectural Review Board (ARB) at this time.

Commissioner Banks read the closing portion of the "Opening Comments."

V. APPROVAL OF MEETING MINUTES

Commissioner Sherman made a motion to **approve** the April 24, 2000 Meeting Minutes. The motion was seconded by Commissioner Broemmer and **passes by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT:

1. Mr. Al Henneboehle, 10 South Broadway, Suite 2000, St. Louis, MO 63131, petitioner for P.Z. 43-1999 SSM Health Care Central Region, stated the following:
 - Speaker stated that his engineer had reviewed the Staff report and has the following issues:
 1. Petitioner does not have any problems with the uses and some of the specific development criteria;
 2. Petitioner stated the height of the hospital is set at 45 feet but is requesting a height of 48 feet;
 3. Petitioner stated that he would like setbacks listed as a guide but would like flexibility to modify them on the final site plan subject to approval by the Planning Department;
 4. Petitioner stated that he would like additional flexibility on floor area ratio (FAR) and the green space requirement to comply with P.Z. 36-1999 City of Chesterfield which has not yet been adapted.

5. Petitioner stated that a number of off-site road improvements would be required: The recommendation to require right-of-way and to pay for roadway improvements that are marginally impacted by this development were not budgeted for this project. Petitioner intends to pay a Traffic Generation Assessment fee that would be approximately \$1.6 million and requests that any requirements to make off-side road improvements be limited to the credit that will be received back from the County for making the road improvements so they will not be paying twice.

Ms. Griggs-McElhanon stated that Attachment A separates the setbacks for structure, parking setbacks and surface parking. Ms. Griggs-McElhanon stated that the setbacks in Attachment A are in keeping with what the Preliminary Plan depicted but are not in keeping with the setbacks that were drawn on the plan.

City Attorney Beach stated that the City has never given flexible setbacks.

Mayor Greenwood arrived at the meeting at 7:27 p.m.

Mr. Henneboehle stated that there would not be a credit by St. Louis County for any utility relocation costs that the petitioner would incur. Mr. Henneboehle stated that his concern is that the costs of the improvements would exceed the Traffic Generation Assessment fees for this project due to the unknown nature of the improvements that the County is asking the petitioner to make. Mr. Henneboehle stated that some of the required improvements would be: The provision of additional right-of-way and pavement, tapers and possibly geometric modification at the intersection of the Schoettler Road By-Pass as directed by the St. Louis County Department of Highways and Traffic.

Commissioner Macaluso questioned why the petitioner is making changes after what was presented at the Public Hearing.

Mr. Henneboehle stated that, since this development is privately-owned, it is mainly a liability and ownership concern. Mr. Henneboehle stated that the petitioner also wanted flexibility to make some possible movement with the building so that the petitioner would not have to go through the process again at a later date to make some changes.

- 2 Mr. Steve Johnson, 12303 DePaul Drive, Bridgeton, MO 63044, represents P.Z. 43-1999 SSM Health Care Central Region;

- Speaker stated that there was never any intention to mislead the City with changes from the Public Hearing;
- Speaker asked that the petitioner's financial liability for off-site improvements in the traffic infrastructure be limited to credits against the Traffic Generation Assessment fees.

3. Ms. Juanita McCarthy, 15648 Hedgeford Court, Chesterfield, MO 63017, speaking neutral to P.Z. 43-1999 SSM Health Care Central Region;

- Speaker stated that she wants it brought to the attention of the Commission that the developer should address any potential drainage problems that may occur with this construction before they receive final approval.
4. Ms. Jade Gardner Bute, 15593 Bedford Gorge, Chesterfield, MO 63017, speaking neutral to P.Z. 43-1999 SSM Health Care Central Region;
- Speaker expressed her concern of the tremendous increase in traffic in Chesterfield and how existing and future zonings, especially on the North Outer Road, Chesterfield Parkway and elsewhere in the urban core, will exacerbate the traffic situation;
 - Speaker asked the Commission to consider how traffic generated by this parcel and combined with others in the area will affect the residents of Chesterfield;
 - Speaker asked the Commission to follow the Mission Statement of Chesterfield.

Director of Planning Teresa Price stated that information is being provided for the regional traffic study. The existing and what has been approved information has been provided. The model is now being calibrated with all of this information and when that is completed, decisions can be made on land use or infrastructure improvements.

VII. NEW BUSINESS

- A. **P.Z. 43-1999 SSM Health Care Central Region:** A request for a change in zoning from "C-8" Planned Commercial District to "PC" Planned Commercial District for a 23.973 acre tract of land located on South Outer Forty, with frontage on Chesterfield Parkway East, approximately 400 feet east of Clarkson Road/State Highway 340. (Locator Numbers: 18S22-0171, 18S22-0148, 18S22-0061)
- Proposed Uses:
- Associated work and storage areas required by a business, firm, or service to carry on business operations;
 - Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly;
 - Automatic vending facilities for:
 - (i) Ice and solid carbon dioxide (dry ice);
 - (ii) Beverages;
 - (iii) Confections;
 - Barber shops and beauty parlors;
 - Bookstores;
 - Cafeterias for employees and guests only;
 - Child care centers, nursery schools, and day nurseries;
 - Dry cleaning drop-off and pick-up stations;
 - Film drop-off and pick-up stations;
 - Financial institutions;
 - Hospitals;
 - Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be: (i) Adequately screened with landscaping, fencing or walls, or any combination thereof; or (ii)

- Placed underground; or (iii) Enclosed in a structure in such a manner so as to blend with complement the character of the surrounding area.
- Dental offices;
- Offices or office buildings;
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Public utility facilities;
- Recreational facilities consisting of an outdoor exercise path;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, sit down;
- Permitted signs (see Section 1003.168 "Sign Regulations");
- Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods;
- Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, are being offered for sale or hire to the general public on the premises;
- or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

Assistant Director of Planning Laura Griggs-McElhanon gave an overview of this petition. Ms. Griggs-McElhanon presented the Commission with a revised Attachment A.

Discussion followed concerning building height.

Commissioner Eifler made a motion to approve P.Z. 43-1999 SSM Health Care Central Region with Attachment A as prepared by the Planning Department. The motion was seconded by Commissioner Banks.

Ms. Griggs-McElhanon stated that the petitioner wants more flexibility on the setbacks. The petitioner can come back later for an amendment to the setbacks which would not require a public hearing.

Ms. Griggs-McElhanon stated that Attachment A, II. FLOOR AREA, HEIGHT AND BUILDING REQUIREMENTS, 6., a., states, "Hospital. The height of the hospital structure shall not exceed three (3) stories or forty-five (45) feet, whichever is less, as measured from the average finished ground elevation of the building. The above shall be exclusive of rooftop mechanical equipment." Ms. Griggs-McElhanon stated that the petitioner is asking that the height be changed from forty-five (45) feet to forty-eight (48) feet.

Commissioner Eifler made an amendment to the motion to accept the petitioner's request for the building height to be changed to a forty-eight (48) foot height only for the hospital building. The amendment to the motion was seconded by Chairman Layton.

Commissioner Macaluso questioned if the hospital overall height would be less including the mechanical equipment than the other medical office buildings which would be four (4) stories.

Commissioner Macaluso stated that she wants to make sure that the mechanical screening would not make this building taller than the others.

Commissioner Eifler asked what the typical height for mechanical equipment on a rooftop for a hospital would be.

Ms. Price stated that the mechanical equipment on office buildings is approximately seven (7) feet.

Commissioner Macaluso made an amendment to the amendment to the motion that the overall height, including the mechanical equipment, be less than sixty (60) feet.

Commissioner Eifler and Chairman Layton accepted this amendment to their amendment to the motion.

Commissioner Broemmer stated that it would make a difference where the hospital building would be located in relation to the elevation of the property.

Chairman Layton asked for a suspension of the rules to discuss this with the petitioner, Mr. Henneboehle. The suspension of rules was unanimously accepted.

Mr. Henneboehle stated that enough space is needed to put the mechanical equipment on top of the building that would include the air conditioning units. Mr. Henneboehle stated that he was not sure exactly what would be included but wanted enough room for normal features included on office buildings.

City Attorney Beach stated that many of these questions require the answers of experts. City Attorney Beach suggested that perhaps many of these questions could be worked out between Staff and the petitioner.

Mr. Henneboehle stated that he wants to proceed through the process so that this project is not held up any longer due to deadlines. Perhaps information on any technical questions could be sent later to the Planning and Zoning Committee or City Council.

Commissioner Broemmer asked Staff that, if this petition were held, could Staff resolve the majority of the issues with the petitioner.

Ms. Griggs-McElhanon stated that the Commission could be provided with more detailed information about specific items so they could make better informed decisions.

Commissioner Broemmer made a motion to hold P.Z. 43-1999 SSM Health Care Central Region for one (1) meeting. The motion was seconded by Commissioner Nolen and passes by a voice vote of 7 to 1. (Commissioner Eifler voted nay on this petition.)

Chairman Layton stated that a motion to hold a petition takes precedence over motions that already were on the floor.

- B. P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates); a request for a rezoning from "NU" Non-Urban District and "FPNU" Flood Plain Non Urban District to "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District for a 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

AND

- C. P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates); a request for a Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District for the same 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

Proposed Uses:

- Dwellings, single family attached;
- Dwellings, single family detached.

Assistant Director of Planning Griggs-McElhanon stated that the Missouri Department of Transportation has revised their comments. Ms. Griggs-McElhanon asked the Commission if they had any other issues for Staff to review.

Commissioner Eifler stated that the City of Maryland Heights is conducting an Environmental Impact Study for the bottoms area from Olive Boulevard to I-70. The Corp of Engineers does not want them to come in after the completion of the movement of the levee and do separate environmental impact studies for several individual projects but do the study for the whole area at one time. Commissioner Eifler asked Staff to look into this and advise the Commission as to the potential impact of this study on the area and project at hand.

Chairman Layton and Commissioner Nolen asked about having a disclosure statement concerning the road.

Commissioner Eifler asked Staff to review the following:

1. *Have Staff check the height of water on Creve Coeur Mill Road during the past week-end and see if it exceeded the height of the land that is proposed to be raised for the location of the houses;*
2. Mayor Greenwood sent a letter in November, 1999, suggesting that the State provide a north-south throughway across the land that the petitioner intends to develop. Commissioner Eifler asked Staff to research whether the City has any plans to try to reserve that land for future development as a road. Commissioner Eifler stated that he does not know how they can write a letter stating they want MoDOT to have a road but the City is not reserving the land.

City Attorney Beach asked Staff to check with the Department of Public Works to see if this is a wetland mitigation issue.

City Attorney Beach stated that Mayor Greenwood has concern about the upstream (south side of Olive Boulevard) effect if this land is raised out of the floodplain and the water does not have a place to flow. Mayor Greenwood questioned if the water would back up into subdivisions along Highway 141.

Commissioner Kodner stated that at one time Creve Coeur Creek was a tributary of the Missouri River. Commissioner Kodner expressed concern whether defending this piece of property for homeowners against a 100-year rain is adequate.

Chairman Layton asked that this issue be thoroughly addressed.

Commissioner Broemmer made a motion to hold P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates) until all issues have been addressed and the receipt of all agency comments. The motion was seconded by Commissioner Eifler and passes by a voice vote of 8 to 0.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Chesterfield Government Center:** Elevations and Landscape Plan for a 7.9 acre tract in the "PC" Planned Commercial District, governed by City of Chesterfield Ordinance Number 1575.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Elevations and Landscape Plan for Chesterfield Government Center with the provision that the architect continue to seek an acceptable method for increasing the separating of the curb cut for the entrance to the lower level of the parking garage from Stemme Road to comply with the standards of the Department of Public Works. The motion was seconded by Commissioner Eifler and passes by a voice vote of 8 to 0.

- B. **St. Louis Bread Company:** Site Development Section Plan, Architectural Elevations, and Landscape Plan. The subject property is zoned "C-8" Planned Commercial District and is located on Outlot #13, in the Chesterfield Commons.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations and Landscape Plan for St. Louis Bread Company with the following conditions: The average foot candle level must be eight (8) or less, the

lighting fixtures for the parking lot must have flat lenses and the electrical boxes must be landscaped. The motion was seconded by Chairman Layton and **passes by a voice vote of 8 to 0.**

- C. **Chicken Gumbo Restaurant:** Amended Final Site Development Plan and Landscape Plan for 1.5 acres in the C-8 Planned Commercial District, governed by City of Chesterfield Ordinance Number 472.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Amended Final Site Development Plan and Landscape Plan for Chicken Gumbo with the following conditions: The average foot candle level must be eight (8) or less and the lighting fixtures for the parking lot must have flat lenses. The motion was seconded by Commissioner Macaluso and **passes by a voice vote of 7 to 1.** (Commissioner Broemmer voted nay on this petition.)

- D. **Charitable Leasing, Inc.:** Site Development Plan, Architectural Elevations and Landscape Plan for 5.591 acres in the "PC" Planned Commercial District governed by City of Chesterfield Ordinance 1455.

Commissioner Nolen, on behalf of the Site Plan Committee, made a motion to approve the Site Development Plan, Architectural Elevations and Landscape Plan for Charitable Leasing, Inc. with the following conditions: The average foot candle level must be eight (8) or less and the lighting fixtures for the parking lot must have flat lenses. The motion was seconded by Commissioner Macaluso and **passes by a voice vote of 8 to 0.**

IX. **COMMITTEE REPORTS:**

- A. **Ordinance Review Committee** – No Report
- B. **Architectural Review Committee** – No report
- C. **Site Plan/Landscape Committee** – No report
- D. **Comprehensive Plan Committee** – No report
- E. **Procedures and Planning Committee** – No report

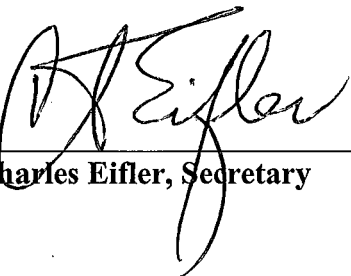
Chairman Layton stated that he would be appointing a Nominating Committee to recommend a slate of officers for the 2000-2001 Planning Commission term. The following Commissioners were appointed to the Nominating Committee: Commissioner Broemmer, Commissioner Sherman, Commission Banks and Chairman Layton. Chairman Layton stated that the Nominating Committee would be meeting this week and would return a slate for voting at the May 22, 2000 Planning Commission meeting.

Director of Planning Price stated that there would be a meeting to discuss the new procedures. The meeting will be Wednesday, May 10 at 9:15 a.m. at City Hall.

X. ADJOURNMENT

A motion to adjourn was made by Chairman Layton and unanimously seconded. The motion **passes** by a voice vote of 8 to 0.

The meeting adjourned at 8:36 P.M.



Charles Eifler, Secretary