PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
APRIL 24, 2017

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

I. ROLL CALL

PRESENT	ABSENT
Commissioner Wendy Geckeler	Commissioner John Marino
Commissioner Merrell Hansen	
Commissioner Allison Harris	
Commissioner Laura Lueking	
Commissioner Debbie Midgley	
Commissioner James Rosenauer	
Commissioner Steven Wuennenberg	
Chair Stanley Proctor	

Mayor Bob Nation
Councilmember Dan Hurt, Council Liaison
Mr. Christopher Graville, City Attorney
Mr. Justin Wyse, Director of Planning & Development Services
Ms. Jessica Henry, Senior Planner
Ms. Cecilia Hernandez, Project Planner
Ms. Cassie Harashe, Project Plan
Mr. Mike Knight, Project Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Proctor acknowledged the attendance of Mayor Bob Nation; Councilmember Dan Hurt, Council Liaison; Councilmember Barbara McGuinness; Ward I; Councilmember Guy Tilman, Ward II; Councilmember Ben Keathley, Ward II; and Councilmember Michelle Ohley, Ward IV

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

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

Chair Proctor explained the Public Hearing process noting that Speakers will be limited to five minutes for individuals and 10 minutes if representing a group.

A. **P.Z. 05-2017 Village at Bonhomme Creek (704 Alrick, LLC):** A request for a zoning map amendment from the "FPC7" Flood Plain General Extensive Commercial and "C7" General Extensive Commercial Districts to a "UC" Urban Core District for 11.73 acres located on the north side of Old Chesterfield Road east of its intersection with Santa Maria Drive and north of its intersection with Wild Horse Creek Road (17T320071).

STAFF PRESENTATION:
Senior Planner Jessica Henry stated that the purpose of the Public Hearing is for the Planning Commission, members of the attending public, and the Petitioner to discuss the request. She noted that the subject property is under private ownership and that the zoning request is not City-driven. The City of Chesterfield is not partnering with the developer on this project and the City's role is to evaluate the zoning petition for adherence with the Unified Development Code and Comprehensive Plan. The Public Hearing is the first step in the zoning process and no vote will be taken on the petition this evening.

Ms. Henry then gave a PowerPoint presentation showing photographs of the site and surrounding area and provided the following information about the subject site:

Site History
The subject property was zoned by St. Louis County prior to the incorporation of the City of Chesterfield. The Chesterfield Mobile Home Park residential subdivision is located within the subject site, and contains 142 separately addressed mobile home sites.

Existing Conditions
The site contains a billboard sign, which exists as a non-conforming sign. There is also a small cemetery on site, which the City is actively reviewing. The City has requested that the Petitioner provide information regarding their intentions vis-à-vis the gravesite and their proposed development plans.

Comprehensive Land Use Plan
The subject site is located within the Urban Core land use designation in the City of Chesterfield Comprehensive Plan. The *Urban Core Land Use Designation* is a conceptual land use category within the City's Comprehensive Plan, whereas the requested *Urban Core District* is a zoning district with regulations set forth in the City's zoning ordinance, which is known as the Unified Development Code.

As presented in the Comprehensive Plan, the Urban Core land use designation should contain the highest density development in Chesterfield and should serve as the physical and visual focus of the City.

"UC" Urban Core District
As noted in the City's Unified Development Code, the "UC" Urban Core district is intended to provide a method for commercial or mixed commercial and residential development within the area known as the Urban Core.

The district regulations list desirable outcomes of developments utilizing the “UC” Urban Core zoning, as noted below:

- Implement the vision of the area of the City identified as the Urban Core in the Comprehensive Plan;
- Promote pedestrian access, connectivity and facilities between sites, between developments and to public facilities through inclusion of a variety of site and building design features such as continuous pedestrian walkways between buildings and from parking areas, trails, bicycle paths, covered walkways between buildings, widened sidewalks at the entrance to commercial and office structures, bicycle parking and continuous walkways through parking areas to buildings within the development;
- Allow flexibility that is not available through standards and restrictions contained elsewhere in the Zoning Ordinance;
- Promote more efficient use of land;
- Incorporate site features such as topography, views, vegetation, water features, and other factors into the design so they become assets to the development;
- Promote building styles and architectural styles that complement one another;
- Allow a mix of uses that are designed to negate potential conflicts that normally occur between incompatible land uses;
- Promote the most efficient arrangement of circulation systems, land use, and buildings;
- Promote environmentally sensitive developments; and
- Allow development, under a specifically approved design concept and site plan, which otherwise may not be permitted by the Zoning Ordinance.

Design Features:
The UC District regulations list the following 11 design features that are desirable to the City and which developers may elect to incorporate into their request. Ms. Henry noted that these features are not mandatory and that not all of these features will be incorporated into any single development proposal.

1. Incorporation of parking areas into the design of the development to minimize visual expanses of parking lots;
2. Placement of structures on most suitable sites with consideration of maintaining existing site topography, soils, vegetation, slope, etc.;
3. Preservation of natural and cultural areas, as well as the creation of open space through active and passive recreation areas to include greenways, landscape gardens, plazas, and walking and cycling trails that serve to connect significant areas and various land uses;

4. Enhanced landscaping, deeper and opaque buffers, and increased planting along public right-of-ways, open space/recreational areas, and the overall perimeter to protect and ensure compatibility with adjacent land uses;

5. Utilization of mixed use buildings;

6. Segregation of vehicular traffic from pedestrian/bicycle circulation networks, and other traffic mitigation measures;

7. Promotion of pedestrian access and connectivity throughout the development, as well as between sites and developments, and to public and community facilities;

8. Incorporation of Transit Oriented Development (TOD) or direct access to public transportation;

9. Utilization of Leadership in Energy and Environmental Design (LEED) construction practices and development standards and the proposed LEED certification of buildings and grounds by the U.S. Green Building Council;

10. Public benefits and community facilities and the access thereto; and

11. Sensitive treatment of perimeters to mitigate impact upon adjoining property.

"UC" Urban Core Request
The following chart shows some specific development regulations that would apply to the proposed development should this zoning request be approved.

	"UC" Urban Core District
Lot Size	3 acre minimum
Setbacks	35 feet for structures 30 feet for parking areas, parking structures, internal drives, loading spaces
Landscape Buffer	30 foot minimum
Common Open Space	30% minimum
Provision of Public Benefits & Community Facilities	Desired design feature
Preservation of Natural Features	Desired design feature
Tree Preservation	30% minimum

Preliminary Development Plan
As indicated in the Applicant's project narrative, the proposal is to redevelop the subject site into a 298 unit multi-family development.

The Preliminary Development Plan shows multiple buildings ranging from three to four stories in height, along with associated parking garages and parking fields. The plan also shows a connection to the City of Chesterfield trail system, which is being reviewed at the Staff level to ensure that it corresponds to the City's long-term trail system plan.

Tree Stand Delineation
The submitted Tree Stand Delineation shows the location of all existing trees on the property.

Conclusive Remarks
Ms. Henry then stated that the goal of the public hearing is to allow for residents to provide input into the process which is taken into consideration when reviewing the Petitioner's request. Review of the Petitioner's request by Staff and the Planning Commission will continue following this meeting. Subsequent meetings will be scheduled to discuss any issues that are generated and finally, for the Commission to make a formal recommendation to the City Council.

PETITIONER'S PRESENTATION:
Mr. George Stock, Stock & Associates Consulting Engineers, Inc., 257 Chesterfield Business Parkway, Chesterfield, MO – on behalf of 704 Alrick, LLC.

Mr. Stock introduced the development team:

- Mike Lang, 704 Alrick, LLC – Owner under Contract
- Carl Lang, Rosenblum Goldenhersh – Legal Counsel
- Rusty Saunders, Loomis Associates - Landscape Architect/Arborist
- Josh Barcus, P.E., Stock & Associates Consulting Engineers, Inc.

Property Information
The current use on the site is the Chesterfield Mobile Home Park, which exists as a legal non-conforming land use as outlined in the City's Unified Development Code. The property is currently zoned "C-7" General Extensive Commercial District, which allows by right a number of uses, as noted below:

- Animal hospitals, clinics, kennels
- Dry Cleaning plants
- Office Buildings
- Public utilities
- Railroad switching
- Welding, sheet metal, & blacksmith shops
- Storage yards for lumber, coal, construction materials.
- Terminals for trucks, buses, railroads, watercraft
- Warehousing and wholesaling of goods or materials

Existing Conditions
The current mobile park site has a single point of entry and includes a grid of streets serving the 142 mobile homes. The land is generally flat with some topographical relief along the east property line.

There is a recorded gravesite on the property. At this time, they have not found any identification of a grave but the recorded 1883 & 1887 documents from St. Louis County establish a 30'x30' cemetery with a 6'x6' plot. They intend to restore the historical gravesite as identified on Assessor's Map #832, D.B. 23 Page 39, D.B. 36 Page 140, D.B. 2239 Page 442, and D.B. 2513 Page 318.

The site also includes an advertising sign located along I-64.

The property has a lot of off-site drainage from Chesterfield Parkway and there is a non-documented, non-easement with metal pipe that would be replaced and addressed by putting in a storm water easement to the Metropolitan Sewer District.

Tree Stand Delineation
The Tree Stand Delineation shows woodlands comprising 1.32 acres; individual trees that make up 3.19 acres of canopy for a total of 4.52 acres of canopy. They would adhere to preserving the required 30% tree canopy. No monarch trees, state champion trees, or rare trees were found on the site.

Comprehensive Land Use Plan
The Petitioner is requesting to rezone to "UC" Urban Core, in conformance with the City's Land Use Plan. The existing "C7" zoning" is in conflict with the goal of the Comprehensive Plan, which clearly designates this property and surrounding properties as "Urban Core".

The Comprehensive Plan states that the Urban Core should be developed to contain the highest density of mixed-use development in the City, such as high-density residential. It should serve as the City's physical and visual focus and should include both residential and commercial developments with parks, municipal services, and preservation of historic structures in areas with cultural, entertainment, and pedestrian amenities for its residents.

Urban Core requires exceptional design and amenities; is intended to meet market niches, encourages pedestrian access & connectivity between developments; and promotes well-designed developments.

The Petitioner intends to follow the policies and goals of the Urban Core if the property is rezoned.

Performance Criteria - Urban Core Development Policies:

	Performance Criteria	**Proposed**
Minimum lot area	3 acres	11.743 acres
Height	8 stories maximum	3 & 4 stories
Open Space	30% minimum	45% (approx.)
Structure Setback	35 feet	35 feet
Parking Setback	30 feet	30 feet

Project Information
The project proposes:

- 5 Buildings comprised of 3 and 4-story apartments fronting on Old Chesterfield Road
- 298 Units (182 one-bed units; 109 two-bed units; and 7 three-bed units)
- Clubhouse, Fitness Center, Business Center
- Internal sidewalks connecting to the City's Riparian Trail
- Dog Park, Pet Washing Rooms
- Pool
- Main, gated entrance would be in the general location of the existing entrance
- Secondary access further to the west on Old Chesterfield Road

- Surface parking would be buffered from Old Chesterfield Road primarily by the proposed buildings; small one-story parking garages throughout the parking lot
- 45% open space through landscaping and storm water management in the form of rain gardens
- Restoration of the gravesite with identifying marker
- Sidewalks along Old Chesterfield Road
- Road widening of Old Chesterfield Road and any other required improvements

Summary
704 Alrick LLC has an agreement to purchase the Laclede Mobile Home Park and has made application to the City of Chesterfield to rezone the property to Urban Core, consistent with the City's Comprehensive Plan to authorize multi-family residential use for the real property.

The process for considering this application is lengthy and involves a series of public meetings. Residents' lease agreements, which were all negotiated with the owner of the mobile home park prior to 704 Alrick LLC's agreement to purchase the property, will remain with the current owner during the City's consideration of the rezoning application.

If the City of Chesterfield approves the site's rezoning and the 704 Alrick LLC project proceeds, residents will have at least 120 days of notice. The earliest potential disruption to the current residents' occupancy under 704 Alrick LLC's ownership would be the middle of 2018, allowing at least one intervening summer for moving.

Should the property not be rezoned, the 704 Alrick LLC project will not proceed.

Discussion
Commissioner Hansen asked Mr. Stock to elaborate on how they will address the specific Urban Core requirements and how they will align with the City's physical and visual focus.

Mr. Stock responded that the Urban Core, and the goals and policies relating to the physical and visual focus, pertain to architecture. This would be addressed through the architecture of the buildings, the connectivity of the residential with the other trail systems already in place, and the amenities within the community in the form of a pool and clubhouse.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:

1. **Mr. James Moore**, 15457 Duxbury Way, Chesterfield MO – speaking on behalf of Social Justice for All.

Mr. Moore stated that Social Justice for All is a combination of Social Justice Committees from seven West County Catholic parishes and one Presbyterian congregation. The Committees are dedicated to promoting social justice and support for low-income, disadvantaged individuals.

Mr. Moore discussed the purpose of government and whom it serves by citing from the U.S Constitution and the Missouri Constitution stating, in part, that "*All constitutional government is intended to promote the general welfare of the people."* He noted the widening gap between the wealthy and the majority. Mr. Moore stated he is aware that the Planning Commission is restricted by the City code and State government to protect the rights of property owners; but pointed out that the Commission also has a responsibility under the Constitution, and under their own personal convictions, to promote the general welfare and protect the rights of those who are less wealthy. He stated that the mobile home park is the only housing available within Chesterfield for lower-income individuals who work in Chesterfield. He referred to the West County area where zoning and development practices sustain and protect the wealthy stating: *What has become legally permissible regarding zoning and development favoring the well-to-do, does not mean it is morally permissible or morally defensible.*

Mr. Moore stated that the Commission has the responsibility and opportunity to make a change for the better by denying the request to rezone, which would protect the families and human rights of those living in the mobile home park – the only housing supply for low-income individuals in Chesterfield. He also urged the Planning Commission to work to create a mixture of housing and affordability in the City of Chesterfield through property tax abatement, through requiring developers to set aside some units and properties for less expensive housing, and through subsidized Section 8 housing. He asked the Planning Commission to think about the moral implications, as well as the legal implications, of their actions when making a decision on this petition.

Discussion

Commissioner Geckeler thanked Mr. Moore for his comments that she felt needed to be said, heard, and thought about.

2. Mr. Charles Oakes, 737 Alrick Drive, Chesterfield, MO.

Mr. Oakes stated that he is a resident of Chesterfield Mobile Park and that he would be speaking about why the zoning of the subject site should not be changed:

- The mobile home park is located on Old Chesterfield Road and it, along with the other buildings in this area, have been there since the time Chesterfield was only a train stop. The mobile home park is older than Chesterfield itself and is part of Chesterfield's history.
- The mobile home park is home to many individuals and families – some who have been there for 30 years or more – and is an affordable option for low-income households.
- The children who live in the mobile home park attend schools in the Rockwood school district, and if forced to move, they would need to change schools thereby losing friends.

3. Ms. Lisa Oakes, 737 Alrick Drive, Chesterfield, MO.

Ms. Oakes stated that she has been a resident of the mobile home park for 30 years and noted that there is a sense of community among the families. Her entire family lives within 10 miles of her home, which allows her the opportunity to visit and care for her elderly parents, which would be difficult if she has to move from the park. The residents of the mobile home park provide services to others in the City and work, shop, and live

here. It would be a financial hardship for her and her husband to move elsewhere and she has concerns that other mobile parks would not take a trailer as old as theirs.

4. **Mr. Steve Robinson**, Chesterfield Farms subdivision, 16703 Chesterfield Manor Drive, Chesterfield, MO.

Mr. Robinson stated that he and his wife have lived in Chesterfield for nearly 23 years. He is speaking on behalf of his daughter who was diagnosed with significant learning disabilities at an early age. After attending and graduating from the Rockwood school district, she wanted to be independent but did not qualify for, or could afford, any of the nearby apartment complexes. After finding the Chesterfield Mobile Park, she was able to purchase her own trailer and move in to start her own way of life. Because of her disability and epilepsy, she is unable to drive but walks to and from her job in the Valley. If she has to move, she would lose her employment and means of support for herself and expected child.

Mr. Robinson suggested that the Petitioner utilize another piece of property for their development noting that there are over 3,000 acres of undeveloped land in Chesterfield with 200 vacant acres of Urban Core zoning.

5. **Mr. Marlin Manor**, 935 Doresay Lane, Chesterfield, MO.

Mr. Manor stated he has been a resident of the Chesterfield Mobile Home Park for 25 years. He feels that if the residents are forced to move, it will be detrimental to the retail businesses in the Valley and the Rockwood school district. It will also put a financial hardship upon him and his wife as they cannot afford any other housing options.

6. **Dr. Kimberly O'Reilly**, Executive Vice President of Logan University, 1851 Schoettler Rd, Chesterfield, MO.

Dr. O'Reilly stated that the Chesterfield Mobile Home Park is synonymous with Logan students who buy mobile homes, take care of them, and then sell them to other students – or rent them affordably to other community members. If the mobile home park is removed, it would take away the most affordable housing option available. Students, alumni, and employees of Logan have lived in the Chesterfield Mobile Home Park since the late 70s - as long as Logan has been in Chesterfield. The mobile home park is a stable and vibrant community. Without affordable housing options for its students, Logan will find it more difficult to compete with schools such as Parker and Palmer Universities.

Dr. O'Reilly pointed out that Logan University students contribute $20-30 million to the Chesterfield community in room, board, and incidentals each year. She agreed with previous speakers who noted that there are other development opportunities for new housing projects but there are no other opportunities within Chesterfield for the members of the Chesterfield Mobile Home Park community.

7. **Mr. Mike Collins**, 16635 Caulks Creek Ridge, Wildwood, MO.

Mr. Collins stated that he has been a resident of Chesterfield and Wildwood for 41 years. He 88-year-old mother currently resides at Sunrise Assisted Living and suffers from dementia; his mother-in-law is a resident of the mobile home park. He stated that his

mother has lost her dignity and independence but is financially able to have her needs met at Sunrise. Mr. Collins went on to say that his mother would trade her financial means to have the independence and dignity that his mother-in-law has living on a $900 Social Security check at the mobile park. At 88 years of age, she still rides her bike to the Family Church and the Valley but would suffer tremendously if she has to move. He noted that there a number of elderly residents within the park who feel very comfortable living there because there are a number of residents who watch out for them.

8. **Mr. Bill Mueller**, Sycamore Place subdivision, 2102 Terrimill Terrace, Chesterfield, MO.

Mr. Mueller stated that he and his wife have lived at their present address for 27 years. During the past 27 years, he cannot recall anything negative about the mobile home park – it is not a high-crime area and he does not think neighbors complain about it. He asked that the owner of the property consider some attrition – some other way of transforming the property.

He referred to the area malls which are all declining, including Chesterfield Mall. He is of the opinion that the mall property will become available at some point and could be developed as apartments as opposed to the subject site.

9. **Mr. Anthony Togias**, Ladue Bluffs subdivision, 241 Cordovan Commons, Chesterfield, MO.

Mr. Togias stated that "it feels manifestly improper to displace 140 families in exchange for approximately 300 individuals or families that we don't have." The existing community is a large and caring community. He agrees with previous Speakers who feel the proposed project could be developed on vacant land within Chesterfield.

Mr. Togias referred to recent media articles which reported that the target demographic would be millennials who work at nearby corporations. The representation made to the media is that these corporations are hiring - but they are not hiring for young, entry-level positions. They are hiring for people with experience. Based on the information reported in the local media, the units would rent for $1,400-$2,000/month equaling $16,800-$24,000 annually. An internet search showed that the median income for millennials in the State of Missouri is $20,900. Mr. Togias also noted that the rental costs are equal to a lot of mortgages and questioned why someone would rent when they could buy. He also stated that most millennials gravitate towards the suburbs when they intend to settle down – and a rental home is generally transitory.

Mr. Togias expressed concern that by rezoning the property and forcing the families to leave would send a message to the rest of the community about the worth of people.

10. **Ms. Elaine Collins**, 808 Grimstone Drive, Chesterfield, MO.

Ms. Collins stated that she agrees with a lot of the comments made by previous speakers and that she is speaking on behalf of her 87-year-old mother who has been a resident of the mobile home park for the past five years. Her mother feels like she is living in a home within a community; she has vegetable and flower gardens and enjoys taking care of her house. She attends services at a church in Chesterfield Valley and

shops at the various stores in the Valley. She loves her independence and wants to take care of herself. She does not drive a car but rides her bike to the nearby stores.

Ms. Collins stated that the residents of the mobile home park are a community just like any other subdivision in Chesterfield. She hopes that Chesterfield will not ask these residents to move because there is no other low-income housing in Chesterfield.

11. Lisa DeBerry, 218 Vista Oak Court, Ballwin, MO.

Ms. DeBerry stated that she knows some of the family members of the mobile home park and they love their community because it provides them with access to wonderful education for their children. Ms. DeBerry stated that this personally resonates with her because she is the daughter of a low-income family and was raised in a mobile home park. She is fully supportive of these families and feels that rezoning the property would be detrimental to them.

12. Mr. Saul Mikaliukas, 840 Grimstone Drive, Chesterfield, MO.

As a resident of the mobile home park, Mr. Mikaliukas stated that he visited Amerwest Development's website and was impressed by their track record in Missouri. He noted that their website states that *they manage their projects in an environment of fairness, honesty and integrity.* Mr. Mikaliukas also referred to a recent article in the *St. Louis Today* business section about the mobile home park in Chesterfield, which indicates that the developers will offer a relocation package to residents should the rezoning be approved. He questioned why details about the relocation package would not be made available at the current time instead of after any possible rezoning. He feels the Commission needs all the facts affecting the residents of the mobile home park community prior to making any decisions on the rezoning.

Mr. Mikaliukas referred to another article in *St. Louis Today* stating that *Amerwest wants to minimize disruption of the families in the community and provide the help necessary for residents to transition should the bid to buy the site goes through*. Mr. Mikaliukas questioned how one minimizes disruption of families when their homes are being taken away and asked what type of help and financial restitution would be provided to families whose homes cannot be moved without breaking up.

13. Ms. Laura Elena Zamora, 730 Alrick Drive, Chesterfield, MO.

A translator read a statement written by Ms. Zamora, who is a Spanish-speaking resident of the mobile home park.

Ms. Zamora's statement states that she wants to keep her home in the mobile home park because it is easy access to the shopping area and she does not own a car. She settled in Chesterfield ten years ago because she has four daughters and thirteen family members living in the nearby area, which makes it possible for her to pick up her grandchildren from the bus stop near the entrance to the park. She does not want the residents to have to move because many children and adolescents would lose the opportunity to go to school within a good school district, as well as having a safe place to live. The rent at the mobile home park is all that she can afford. The people who live in the park work very hard to provide a home for their families.

14. **Ms. Toni L. Pinkston**, 844 Grimstone Drive, Chesterfield, MO.

Ms. Pinkston stated she would pass on speaking.

15. **Mr. Bernie Schmidt**, Braefield subdivision, 857 Braefield Court, Chesterfield, MO.

Mr. Schmidt stated that he has been a resident of Chesterfield since 1996 and noted that Chesterfield is a great community. He added that rezoning the property would create a "humanitarian crisis" by displacing 140 families of very low income. He feels that Chesterfield should be able to "accommodate all peoples of all ethnic backgrounds, of nationalities, and of income levels". He does not see a plan in place to take care of these people and pointed out that there is no other place in Chesterfield where they could afford to live.

16. **Mr. James Wells**, 1734 Alrick Drive, Chesterfield, MO.

Mr. Wells stated that he is an 11-year resident of the mobile home park and that he has been serving the Chesterfield community for over 20 years as a house painter and home repairman. He stated that he paid a high price for his trailer, which is one of the oldest ones in the park, dating to 1963. The trailer needed to be completely refurbished, which he has completed over the years at a cost of nearly $20,000. He noted that he would not be able to move the trailer to another park and asked that his home not be taken away from him.

17. **Mr. Bob Ernst**, Clarkson Woods subdivision, 15940 Woodlet Way Court, Chesterfield, MO.

Mr. Ernst stated that he and his wife have lived at this address for 39 years. He worked as an urban planner for St. Louis County Department of Planning after graduating from St. Louis University. After getting a Master's degree and Ph.D., he taught as a university professor in urban planning at Washington University, followed by working as a consulting urban planner.

Mr. Enrst stated that the Commission needs to consider "two overarching issues" – human dignity and the kind of city Chesterfield wants to be. He noted that a lot of the speakers pointed out how they would be damaged by approval of the rezoning petition. With approval of the petition, the City would be "throwing out low-income people and replacing them with higher-income people".

18. **Mr. Richard Miller**, 602 Carman Forest Lane, Ballwin, MO.

Mr. Miller stated that rezoning the property would be "breaking up families and the children would lose their friends and his heart goes out to them".

19. **Mr. Carlos Reynoso**, 945 Doresay Lane, Chesterfield, MO.

Mr. Reynoso stated that he stands with his family and neighbors of the Chesterfield Mobile Home Park community and is opposed to the rezoning of the land where their homes are located. He has been a resident of the park for 12 years and is grateful to be part of the Chesterfield area. The mobile home park is affordable for his income and he appreciates the fact that his children can attend, and be a part of, the schools in the

Rockwood school district. He is a hard-working spouse with two children, pays property taxes, and is very active in his church, his children's school, and his community. He wants to continue working here and making the community better by keeping his home. He feels that rezoning the property would be "unfair and insensitive" to all the residents living in the mobile home park and would be "devastating" to them if forced to move out.

20. Mr. Patrick Fisher, 16695 Wild Horse Creek Road, Chesterfield, MO.

Approximately 20 school-aged children accompanied Mr. Fisher to the podium.

Mr. Fischer stated that he is the Principal of Wild Horse Elementary School and was present to advocate for his students and their families. He noted that at Wild Horse Elementary they have worked very hard to make each child feel loved and cared for. Each of these students is part of the intricate fabric that makes their school and community what it is and to do anything that jeopardizes them, ultimately jeopardizes their school community and would negatively impact all of them. These students are part of the Wild Horse Elementary family – they know them, work hard with them, and love them so when they heard about the rezoning petition they were "extremely shocked and more than a little concerned" for their students.

Mr. Fischer referred to a recent article in the *St. Louis Post-Dispatch* which included quotes from Mike Lang, speaking on behalf of the developer. The quotes seemed to show that the developer has "little regard" for the students and their families by indicating that waiting until the summer of 2018 to begin development would be "sensitive to the residents" as they are "not interested in creating huge upheaval". Mr. Fisher stated that "the idea of uprooting these families from their community, their school, and their relationships would be anything other than a huge upheaval and just because it would happen over the summer shows a complete lack of regard for people and for their lives". Mr. Fisher pointed out that forcing these students to relocate will create unneeded stress, which will harm their ability to perform in school and will have a profound impact on them for years to come.

21. Rev. Margaret Philip, 17836 Wild Horse Creek Road, Chesterfield, MO.

Rev. Philip stated she is pastor of St. Thomas United Church of Christ and is representing members of the church, who assist children at the mobile home park who are in need of tutoring and help with their homework. She is very concerned that these residents will "lose their homes and community, and not have the benefit of some of the extra care and love that they are able to get" from their church and other churches as well. She encouraged the Commission to think about all that has been spoken about this evening as this is "more than just a zoning question, this is a question of who do we want to be as a community of Chesterfield".

22. Ms. Debbie Crahan, 583 Weston Ridge Court, Wildwood, MO.

Ms. Crahan stated that she is a teacher in the Rockwood school district and noted that rezoning the property would displace 83 students from Wild Horse Elementary; 23 from Crestview Middle; and 25 from Marquette High. She noted that these students benefit the other students in Rockwood "because they add an element of diversity that is so important in today's world".

23. **Mr. Andrew Williams**, 523 Gilead Drive, Chesterfield, MO.

Mr. Williams stated that he has been a resident of the mobile home park since 2007 and feels fortunate that he pays a lot rental of $370/month. He has priced apartments and found that it would cost at least $500/month plus utilities. To move his trailer to another mobile home park would cost thousands of dollars in moving expenses, and it is even questionable whether they would accept a 1968 mobile home in its present condition without central air conditioning.

Mr. Williams noted that other mobile home parks that charge similar rentals seem to be managing the parks "far better than Iremco ever has – with well-maintained lots, improved streets and sidewalks". He stated that no one has made mention about buying them out and that he has "spent thousands for improvements on the continued habitability of his mobile home trailer".

24. **Ms. Melissa Walthart**, 3450 Russell Blvd., St. Louis, MO.

Ms. Walthart stated that she is the program manager for the after-school and summer programs run by Journey Church in the mobile home park. She noted that the families within the mobile home park take care of their homes and yards; and children are playing outside. Their program has had nearly 100 children from the mobile home park community come through it within the last year. She stated that there is a "true community" here with neighbors knowing each other. Because the children are able to attend one of the best school districts in St. Louis, they are ahead of other students in other areas of the metropolitan area. If they are moved from their school district, their futures will be detrimentally affected.

On a personal note, she stated that she is a millennial and has been hired by multiple organizations to speak to and attract millennials through messaging and other engagement strategies. She stated that the proposed development has overlooked two things when marketing to millennials. The two most consistent trends for this age demographic are being non-committal and being socially-minded. Being non-committal assumes that millennials will only be staying in one place for a year or two; while being socially-minded assumes that millennials will not be interested in renting an apartment that displaced families.

25. **Mr. Aaron Layton**, 3 Sandbar Court, St. Charles, MO.

Mr. Layton stated that he is an elder at the Journey Church in Ballwin, MO. He explained that last summer the church decided to get involved with the mobile home park in Chesterfield by taking over an after-school tutoring program. Consequently, they have purchased two trailers in the park for the tutoring classes. The outreach volunteers have received a lot and grown from working with the children and the community. They would like to have the opportunity to continue serving this community for the betterment of Chesterfield.

26. **Ms. Sandra Karr**, Villages at Baxter Ridge subdivision, 1816 Baxter Ridge Drive, Chesterfield, MO.

Ms. Karr stated that she is a retired educator and agrees with the comments of previous speakers. She then referred to the saying: *It take a village to raise a child* and noted that

if the rezoning is denied, Chesterfield village will raise the child; if the rezoning is approved, Chesterfield village refuses to raise the child.

27. **Ms. Deusi Perez**, 716 Alrick Drive, Chesterfield, MO.

Ms. Perez stated that she is a single parent with three daughters and previously lived in Florissant where she had to work a lot of hours in order to pay her rent of $1,000/month leaving her no time for her daughters. She moved to the mobile home park where the rent is much more affordable for her income and allows her time to be with her children as she now has weekends off. She asked that she be allowed to stay in her home.

28. **Ms. Renee Schultz**, White Plains subdivision, 5 Youngstown Court, Chesterfield, MO.

Ms. Schultz stated that she has been a resident of Chesterfield for the last 15 years and is a full-time real estate agent selling properties in Chesterfield and the surrounding areas. She works with a lot of clients moving from apartments into homes and knows that if this park is closed, these residents will not be able to move into the West County area for the rents they are now paying. She knows that the families are struggling and if their homes are taken away from them, she questions what will happen to them.

Ms. Schultz stated that she is a member of the Journey church and has met some of the mobile home residents through the church. She also noted that teams of people from the church have gone into the park to do repairs on some of the residents' homes. The church is trying to help them as much as possible to have dignity in their lives. She stated that it would be a tragedy to force them out of their homes in the name of bigger and more expensive apartments. She asked that the Commission allow the community to remain as is.

29. **Ms. Kalila Jackson**, 1027 S Vandeventer, 6th Floor, St. Louis, MO.

Ms. Jackson stated that she represents the Metropolitan St. Louis Equal Housing and Opportunity Council, the only non-for-profit agency serving the St. Louis region whose mission is to eradicate housing discrimination in the area. She stated that she cannot add anything more from a human perspective from what has already been shared by the previous speakers.

Ms. Jackson stated that she is an attorney and her agency was contacted by a constituent who is concerned about the proposed development because it would wipe out affordable housing in Chesterfield as the average rent in Chesterfield is $1,100/month.

The Metropolitan St. Louis Equal Housing and Opportunity Council is interested in this issue because many of the residents are Hispanic, which is a protected class under the Fair Housing Act. She explained that the City of Chesterfield receives Community Development Block Grant funds and as a fund recipient, there are some heightened duties that the City must adhere to when making zoning decisions, such as how they will impact protected classes. They are concerned that if the rezoning is approved, there will be a disparate impact on the very small Hispanic community in the area, which could potentially violate the City's obligations to affirmatively further fair housing as a Block Grant recipient.

Ms. Jackson encouraged the City to consider taking steps to build affordable housing and encouraged developers to set aside units for low-income individuals.

30. **Mr. Robert Marshall**, 1623 Parquet Court, St. Louis, MO.

Mr. Marshall was not present when his name was called.

31. **Ms. Lilian Vrabely**, Wilson Farm Estates, 2039 Wilson Ridge Lane, Chesterfield, MO.

Ms. Vrabely stated that she has been a resident of Chesterfield for 17 years and is a translator for the Rockwood school district who has worked with a lot of the families from the mobile home park. These families love and appreciate their schools. If the property is rezoned, these children will be taken away from their schools. All these families are good, hard-working individuals and all they want is an affordable place to live. As an employee of Rockwood, she knows that the school district "embraces and needs diverse Latin American families".

32. **Dr. Ed Ernstrom**, 908 Doresay Lane, Chesterfield, MO.

Dr. Ernstrom stated that he is a chiropractor and reaches out to the community in many different ways, including the Chamber of Commerce. He stated that he and one other doctor live in the mobile home park.

Dr. Ernstrom pointed out that the residents had less than four weeks' notice of the rezoning public hearing. They have not had any communication from the developer, the property owner, or the property management about the proposed rezoning. Their community found out about it when a news team showed up in their neighborhood asking questions of the residents.

Dr. Ernstrom then stated that if the rezoning is approved, traffic will be a major issue as Old Chesterfield Road has only one way in and one way out at Wild Horse Creek Road and at Baxter, and currently, there are no street lights at those locations. With the 140 homes in the mobile home park, the average vehicle ownership is 1 ½ vehicles per home totaling approximately 200 vehicles. If 298 apartment units are built here, the number of vehicles will increase to over 500 vehicles, which will result in wear and tear on the roads and will create frustration.

In closing, Dr. Ernstrom stated that they will return for the Issues meeting on this petition.

SPEAKERS – NEUTRAL:

1. **Ms. Venita Lake**, 5851 Waterman Blvd., St. Louis, MO.

Ms. Lake stated that she is a descendent of Lawrence Long and explained that the subject property once belonged to the Long family, which received the original Spanish land grants for this area. They have determined that there is a 30' x 30' family cemetery on the site. She and her cousins have been doing research to learn who is buried in the cemetery. They are fairly certain that Lawrence Long is buried there, who was born in 1755, served in the Revolutionary War, and died in May, 1803. The family would like to

see something done to mark and recognize the cemetery area, whether the site is rezoned or not.

2. Ms. Jane Durrel, 177 Gunston Hall Court, Chesterfield, MO.

Ms. Durrell stated that she is speaking on behalf of the Chesterfield Historic & Landmark Preservation Committee (CHLPC), which just recently found out that there is a burial plot on the subject site. The Committee wants to be reassured that the grave site is protected and preserved. Ms. Durrell acknowledged Mr. Stock's comments about how the site would be cared for in the event the rezoning is approved. If the rezoning is not approved, the Committee would like the current owner, or any future buyer, to mark the grave site area and make it accessible to the public.

On a personal note, Ms. Durrell stated she has lived in Chesterfield for 48 years and the mobile home park has been there for as long as she can remember. It is part of the landscape, it's a community tucked in with mature trees, and a community filled with happy people who care for each other. Her request is that the mobile home park be allowed to remain there, which affords the City the opportunity to provide diversified housing. Rezoning the site would displace a whole neighborhood. She then respectfully asked the potential buyer to withdraw his petition.

REBUTTAL:
Mr. Stock stated that they would not respond at this time.

ISSUES:
Ms. Henry stated that Staff has taken note of the issues raised and will bring the project back for an Issues meeting at a future date.

Chair Proctor then called for a ten-minute recess. The meeting reconvened at 9:35 p.m.

B. P.Z. 07-2017 Chesterfield Valley Motor Sports (17501 N Outer Rd): A request for an amendment to an existing "C8" Planned Commercial District for a 3.0 acre tract of land located north of North Outer 40 Rd west of its Intersection with Boone's Crossing (17U510051).

STAFF PRESENTATION:
Project Planner Cecilia Hernandez gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Hernandez then provided the following information about the subject site:

Comprehensive Land Use Plan
The subject site is located within the *Mixed Commercial* use designation.

Existing Requirements
Currently the ordinance restricts the Petitioner to six vehicles to be displayed outdoors during business hours in an area directly north and west of the existing building. The property owner has been issued a violation for non-compliance with this restriction, along with non-compliance regarding the regulations pertaining to the outdoor storage area. The Prosecuting Attorney has given the property owner the opportunity to file the subject petition in order to abate the violation. If this petition is denied, the violation will

continue through the Municipal Court and the property owner will be required to comply with the ordinance.

Petitioner's Request
The request includes: (1) the addition of two display areas west of the existing building; (2) removal of the restriction allowing a maximum of six vehicles for outdoor display; and (3) an expansion of the outdoor storage area to the northeast of the building by approximately 55 feet.

Discussion

Commissioner Rosenauer asked for the history behind the limitation of six vehicles for outdoor display. Ms. Hernandez replied that the six-vehicle limitation appears to be a self-imposed regulation by the applicant, which was put in place in 1997 through Ordinance 1372.

Commissioner Wuennenberg questioned whether the new display areas will be closer to the road. Ms. Hernandez stated that the two proposed display areas will meet the front setback requirements from North Outer Forty Road. She also clarified that while the proposed mounded display is within the parking setback and structure setback, it is not considered a structure because it will be mounded with dirt.

Councilmember Hurt reminded the Commission that their decision on this petition will affect not only this location, but other locations in the area on future projects and projects already in progress.

PETITIONER'S PRESENTATION:
Mr. Matt Surdyke, 808 Weaver Road, Festus, MO

Mr. Surdyke addressed the concerns expressed in the earlier Work Session meeting regarding the site being out of compliance. He stated that they have been working with the Prosecuting Attorney and Staff to move forward and get the site in compliance through the subject petition.

Mr. Surdyke explained that shortly after he bought the dealership, he realized more room was needed to display their product outdoors. Since State law prohibits competing franchises within a specific radius, he noted that there will not be additional dealerships displaying motorcycles in this area. They are similar to the automotive business in that the displays attract customers and generate business. Mr. Surdyke also pointed out that the displays are brought in each evening.

Mr. Surdye then stated that one of their primary products is the side-by-side, which is as large as a car in some instances. Since this type of vehicle wasn't in existence in 1998, the previous dealership did not need as much room for outdoor display. In addition, their volume has grown considerably with customer units in for service and with new units for sale so there is not enough room. He is currently renting a 10,000 sq. ft. warehouse on Centaur Road in order to provide the level of service the customers deserve.

Restricting the outdoor display area, and the number of vehicles to be displayed, does not fit with the nature of their business in that some vehicles are quite large and need more room. He feels that the ordinance should specify the areas for outdoor display

without any restrictions on the number of vehicles to be displayed. Their goal is to be a good neighbor, to grow their business, and to provide service to their customers.

Discussion

Councilmember Hurt advised Mr. Surdyke that the Commission has to define restrictions based not only on the current use of the site, but on how the site may be used in the future. Mr. Surdyke stated that he does not have any issue with the ordinance defining the types of products that can be displayed.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES:
1. Types of equipment to be displayed outdoors.
2. Clarification on the size of the displays
3. Clarification on the mound display
4. Provide fencing/barrier as screening from the levee trail

Commissioner Geckeler expressed concern about the length of time that the site has been non-compliant and asked if there was any contact with the City other than through the Court. Ms. Hernandez explained that the primary method of communication has been through the Court and that the process to get to the public hearing stage was quite lengthy. If the petition is not approved, the applicant will have to comply with the existing regulations.

Commissioner Midgley stated that if the petition is approved in order to make the site compliant, she has concerns that the property owner could go against regulations again putting the site into non-compliance for another lengthy period of time.

Commissioner Wuennenberg read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING SUMMARY

Commissioner Wuennenberg made a motion to approve the Meeting Summary of the April 10, 2017 Planning Commission Meeting. The motion was seconded by Commissioner Midgley and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT

A. P.Z. 05-2016 Wildhorse Baxter Center, C148B (Shelbourne Senior Living)

The following individuals were present representing the Petitioner:

1. **Mr. Mike Doster,** Doster, Ullom & Boyle, Land Use Attorney on the Development Team, 16090 Swingley Ridge Road, Chesterfield, MO.

Mr. Doster stated that the Public Hearing for this petition was held June 27, 2016, and there were issues and concerns raised throughout the process by residents, Commissioners, and Staff. Shelbourne Senior Living has endeavored to address all of the issues in a reasonable fashion, and two issues letters have been provided during the course of the process. Mr. Doster then summarized some of the issues, and their responses to them:

- Uses: A total of 27 commercial uses have been eliminated from the request.

- Building Height: The height has been reduced from 73 feet to 54 feet. *Mr. Doster added that the height could be reduced to 48 feet but the architect has requested the additional six feet in order to provide architectural features on the roof in order to make the building more attractive.*

- Landscape Buffer: The Petitioner has offered to commit $20,000, plus $2,500 in design costs, to the residents up on the ridge to plant landscaping on their properties in order to more adequately screen their view.

Regarding the landscape buffer issue, Mr. Doster added that he received additional information last Friday that the Commission may want to act upon. He stated that the Traffic Engineer on this project has determined that the secondary entrance to the site does not need the City's required 80-foot throat depth because the use is a very benign use with respect to traffic generation. The throat depth could be reduced to 70 feet without any adverse impact on Wild Horse Creek Road or internally with respect to traffic circulation. If the throat depth is reduced to 70 feet, it allows the building to be moved 10 feet closer to Wild Horse Creek Road allowing an expansion of the landscape buffer at the rear of the property by 10 feet – from 30 feet to 40 feet.

Discussion

Throat Depth

Commissioner Geckeler asked for Staff's view on reducing the throat depth. Mr. Wyse stated that Staff has no concerns with the reduction on the condition that it only be permitted with the senior living facility use.

Landscaping Offer

Commissioner Wuennenberg asked if the Petitioner has talked to the residents about his offer to provide funds for additional landscaping on their properties at the top of the ridge. Mr. Doster replied that the residents have been aware of this offer since December 2015. The offer was made at the time of the original meeting with the Trustees of the subdivision and has been included in each of the Petitioner's responses to issues.

Building Height

Commissioner Geckeler suggested that the building height be reviewed by the Architectural Review Board (ARB) to determine whether 48 feet or 54 feet is more appropriate for the site. If the zoning is approved, Mr. Wyse explained that the

architecture of the project will be reviewed by ARB at the site plan stage. The building design is not available at this point in the process. The question before the Commission is to determine what the appropriate height for this building should be.

Councilmember Hurt asked whether the height restriction could be changed at the site plan stage. Mr. Wyse explained that it could not be changed, and noted that the Commission is reviewing the zoning at this time, which should not be wrapped up with a site plan issue.

Mr. Doster suggested that the height be set at 48 feet but allow the height to increase to 54 feet if upon site plan review, the architecture justifies it.

Commissioner Hansen stated that she would like to see the building height decreased to two stories with the latitude to add additional height for architectural features. Mr. Doster responded that a two-story building is not feasible – they have gone as far as they can in reducing the height, the number of units, density, and square footage.

2. **Mr. Mark Hallowell**, 403 Meadowbrook Avenue, St. Davids, PA.

Mr. Hallowell stated that after meeting with Staff in the summer of 2015, they met with the residents in the fall of 2015 and had a number of meetings with the board of The Reserve. By January 2016, they had consummated a written agreement with The Reserve board, which outlined what the Petitioner would be doing operationally and that the Petitioner would provide landscape architect services for buffer planting on top of the hill on residential properties. The Board's agreement with the Petitioner was to support the project with the City and the Missouri Certificate of Need.

Within The Reserve, there was a strenuous objection by enough of the residents that the agreement became moot. Mr. Hallowell also pointed out that they have reached out to the neighbors at repeated meetings during the entire process.

3. **Mr. Jim Kane,** Shelbourne Healthcare Development Group, 595 E. Lancaster Ave., Radnor, PA.

Mr. Kane stated that from the last meeting it was apparent that the Planning Commission is concerned about the size of the building and that it was important to the Commission that the Petitioner reach out to the residents once more. He noted that Mr. Doster's earlier comments addressed the building size. They did meet again with the residents since the last Planning Commission meeting and their interaction with them has been very helpful.

Mr. Kane then addressed the following concerns:

- **Noise**: There is very little noise as seniors live a very quiet lifestyle.
- **Traffic**: Studies indicate that senior housing is a traffic-neutral use.
- **EMS Vehicles:** 911 calls are typically a little over one per week.

Mr. Kane also pointed out that their senior living facilities always become part of the surrounding community. School children will frequently visit throughout the school year and during the holidays to interact with the senior residents. Mr. Kane summarized by stating that the building and the community will create a beautiful environment in which the seniors of Chesterfield can live in a place with which they are familiar and where they can be near their families.

4. **Mr. Vince Keady**, representing Sachs Properties, 7700 Forsyth Blvd, Ste. #1100, Clayton, MO.

Mr. Keady stated that Sachs' philosophy has always been to work with the City and neighboring property owners in its developments. This philosophy has been carried through by Shelbourne throughout the application process as evidenced by Mr. Doster's letter, dated April 17, 2017, outlining all the accommodations and revisions that have been made to the project in order to address and appease concerns.

Mr. Keady also stated that Sachs Properties has 26 vested uses for the subject property if the current application is denied. Those uses include a bar, car wash, check cashing facility, filling station and convenience store with pump stations, hospital, motel, pawn shop, public facilities over 60 feet in height, tattoo parlor, body piercing studio, vehicle repair, and service facility. He asked that the Commission give the petition a recommendation of approval and forward it on to Council.

5. **Mr. Jeff Atkins,** Volz Engineering, 10849 Indian Head Industrial Blvd. St. Louis, MO.

Mr. Atkins passed on speaking.

The following spoke **in favor** of the petition:

1. **Mr. Maurice Hirsch**, 354 Willow Weald Path, Chesterfield, MO.

Mr. Hirsch stated that the Comprehensive Plan calls for urban core zoning and multi-family use on the subject site; he noted that the Petitioner is seeking urban core zoning and a residential use. Mr. Hirsch noted that the residential use is "benign and is less intrusive than the commercial uses that could currently be put on the site – and is a low traffic generator". The Petitioner's proposed changes present an opportunity to eliminate approved uses that he would not want on the site.

The following spoke **in opposition** to the petition:

1. **Mr. Sathish Makkapati**, 327 Oak Stand Court, Chesterfield, MO.

Mr. Makkapati stated that while the Petitioners met with the Board of The Reserve in 2015, no residents were contacted at that time. The Petitioners did meet with the residents again after the last Planning Commission meeting, but no new options were presented. A survey of the residents shows that 95% are opposed to the petition.

Mr. Makkapati then noted that while the square footage of the building has been reduced to 154,790 square feet, it is still too large for the site. He also pointed out that houses near the proposed development are not selling and have been on the market for months.

2. Mr. Pravin Khanna, 300 Willow Weald Path, Chesterfield, MO.

Mr. Khanna stated his concern deals with density and noted the following:

- The current ordinance allows for 147,000 sq. ft. on all three parcels - approximately 58,000 sq. ft. on 5.2 acres compared to the Petitioner's request for 154,790 sq. ft.
- Sunrise Assisted Living development sits on 3 acres and is only 56,000 sq. ft.
- The proposed Shelbourne development has ten times more units per acre compared to The Reserve subdivision and neighboring subdivisions.

3. Mr. Shankar Manakkal, 338 Oak Stand Path, Chesterfield, MO.

Mr. Manakkal stated that 95% of the residents are opposed to this project and pointed out that for the past six months, only one house out of seven has sold in the area near the proposed development, and was sold at a loss of $30,000.

4. Mr. Fenglong Liu, 331 Oak Stand Path, Chesterfield, MO.

Mr. Liu was not present when called.

5. Mr. Roger Chiu, 388 Oak Stand Path, Chesterfield, MO.

Mr. Chiu stated that what he heard from the Petitioners and supporters this evening was "threats and fear" that if this proposal is not approved, there are 26 other uses already permitted for the site. Mr. Chiu pointed out that there are more than eight retirement homes around Chesterfield and none of them have reached 80% capacity. He went on to say that he does not see "urban core" as a retirement home; he envisions it as "somewhere you can play, interact with your neighbors, shop, and eat – like downtown Kirkwood".

6. Dr. Ramana Madupalli, 311 Oak Stand Court, Chesterfield MO.

Mr. Madupalli stated he would summarize the concerns raised by the residents over the last 16 months:

- Size and height of the building is too large for the site
- Housing prices in The Reserve have been negatively affected and are not selling
- No demand for additional retirement homes in the area

7. Ms. Ping Wang, 331 Oak Stand Path, Chesterfield, MO.

Ms. Wang stated her concerns as follows:

- This project will generate frequent emergency calls causing sirens to be sounded, which will negatively affect the sleep of working families and children.
- Houses are not selling in this area of the development.
- There are already too many memory-care facilities in Chesterfield.

- The location of the trash dumpster will be in view of the residents.

The following spoke from a **neutral position** of the petition:

1. Mr. Srinivasa Yanamanamanda, 454 Oak Stand Path, Chesterfield, MO.

Mr. Yanamanamanda stated that he is the President of the current Reserve HOA Board of Directors and would provide clarification on the following items:

- Memorandum of Understanding for landscaping on private property: It is the current Board's position that the HOA Board does not have the authority to negotiate agreements for the property owners with the Petitioner for landscaping on private property. If those five residents are interested in working with the Petitioner, they need to work with them independently.
- The current ordinance deals with three different parcels and the subject petition concerns only the one easternmost parcel. Mr. Yanamanamanda pointed out that if the zoning is approved for this parcel, the permitted uses for the other two parcels would still remain and he "doesn't appreciate the dishonesty that is being put forth here in terms of '*do you want this or do you want a strip bar?*'.

Discussion

Commissioner Geckeler stated that in listening to the concerns raised by the residents during all the meetings on this petition, she feels that the primary issue is the use no matter the size or density of the development and asked Mr. Yanamanamanda if that is correct. Mr. Yanamanamanda replied that this is a reasonable summary but there are a few residents who think this is a good use of the land. Other residents have concerns about the size and density of the development.

B. P.Z. 14-2016 18331, 18333 & 18335 Chesterfield Airport Rd. (LSL I, LLC and LSL II, LLC

Mr. Steve Randall, representing the Petitioner, 8 East Main Street, Wentzville, MO stated he was available for any questions.

C. P.Z. 16-2016 EJ Properties (16625 & 16635 Old Chesterfield Rd):

Mr. Ed Struckman, representing the Petitioner, 296 Brook Lane, O'Fallon, MO stated he was available for any questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. UNFINISHED BUSINESS

A. P.Z. 05-2016 Wildhorse Baxter Center, C148B (Shelbourne Senior Living): A request for a zoning map amendment from a "C-8" Planned Commercial District to a "UC" Urban Core District for 5.21 acres located south of Wild Horse Creek Road and east of its intersection with Baxter Road (18T630283).

Senior Planner Jessica Henry stated that the Public Hearing for this petition was held on June 27, 2016 followed by an Issues Meeting on September 26, 2016. The project was then subsequently placed on the January 23rd meeting agenda for a vote. At that time, there were ongoing discussions about the issues and the Petitioner requested that the project be held. Since that time, the Petitioner has made revisions to their request as summarized by their letter included in the meeting packet. An Attachment A has been prepared and the Planning Commission may vote on the petition.

Ms. Henry also noted that the Petitioner provided information earlier in the meeting about decreasing the throat depth of the secondary access in order to move the building 10 feet closer to Wild Horse Creek Road, which would allow an increase to the landscape buffer from 30 feet to 40 feet.

Discussion

In response to questions, the following information was provided by Staff or the Petitioner:

- The size of the lot at the Sunrise development is 3 acres compared to Shelbourne's 5.21 acres.
- The individual property owners atop the ridge will need to negotiate with the Petitioner regarding landscaping on their private lots – neither the HOA nor the City will be involved in these negotiations.
- The skyplane criterion was not used in reviewing this development, nor has it been used in recent years.

Councilmember Hurt explained that years ago, there was a concern of a canyon-like effect going down major thoroughfares so guidelines were established to set buildings back from the road to avoid this canyon-like effect. He recommended that Staff evaluate using the skyplane criterion for projects going along the major thoroughfares and in the urban core.

Mr. Doster then provided a comparison between the proposed Shelbourne development and the Sheridan development, currently under construction:

	Shelbourne	**Sheridan**
Height	54 feet or 48 feet	62 feet, 10 ¾ inches
Units per acre	24.76	26.37

Commissioner Rosenauer made a motion to approve P.Z. 05-2016 Wildhorse Baxter Center, C148B (Shelbourne Senior Living). The motion was seconded by Commissioner Lueking.

Commissioner Geckeler made a motion to amend the motion to increase the landscape buffer at the rear of the property from 30 feet to 40 feet by means of reducing the throat depth on the secondary entrance from 80 feet to 70 feet. The motion was seconded by Commissioner Wuennenberg.

Upon roll call, the vote was as follows:

Aye: Commissioner Midgley, Commissioner Rosenauer, Commissioner Wuennenberg, Commissioner Geckeler, Commissioner Hansen, Commissioner Harris, Commissioner Lueking, Chair Proctor

Nay: None

The motion passed by a vote of 8 to 0.

Commissioner Hansen made a motion to amend the motion to restrict the height of the building to 48 feet. The motion was seconded by Commissioner Wuennenberg.

Upon roll call, the vote was as follows:

Aye: Commissioner Rosenauer, Commissioner Wuennenberg, Commissioner Geckeler, Commissioner Hansen, Commissioner Harris, Commissioner Lueking, Commissioner Midgley, Chair Proctor

Nay: None

The motion passed by a vote of 8 to 0.

Discussion

Commissioner Lueking asked for confirmation that the Petitioner is no longer requesting a setback reduction on the western side. Ms. Henry confirmed that the setbacks in the Attachment A reflect that this modification is no longer needed.

The vote on the motion to approve P.Z. 05-2016 Wildhorse Baxter Center, C148B (Shelbourne Senior Living), as amended, was as follows:

Aye: Commissioner Rosenauer, Chair Proctor

Nay: Commissioner Wuennenberg, Commissioner Geckeler, Commissioner Hansen, Commissioner Harris, Commissioner Lueking, Commissioner Midgley

The motion failed by a vote of 2 to 6.

B. **P.Z. 14-2016 18331, 18333 & 18335 Chesterfield Airport Rd. (LSL I, LLC and LSL II, LLC.)**: A request for a zoning map amendment from a "M3" Planned Industrial District to a "PC" Planned Commercial District for a 16.0 acre area of land at 18331, 18333 and 18335 Chesterfield Airport Rd., located at the northwest side of the intersection of Chesterfield Airport Rd. and Spirit of St. Louis Blvd. (17V410060, 17V410026 and 17V410037).

Senior Planner Jessica Henry stated that a Public Hearing was held on this request on December 12, 2016 followed by an Issues Meeting on March 27, 2017. At that time, no additional issues were raised. The Attachment A has been drafted to reflect the request with all of the issues addressed so the item is ready for action by the Planning Commission.

Commissioner Wuennenberg made a motion to approve P.Z. 14-2016 18331, 18333 & 18335 Chesterfield Airport Rd. (LSL I, LLC and LSL II, LLC. The motion was seconded by Commissioner Geckeler.

Commissioner Hansen made a motion to amend the motion to amend Section I.G. of the Attachment A to clarify street lights are required on Chesterfield Airport Road and Spirit St. Louis Boulevard. The motion was seconded by Commissioner Geckeler.

Councilmember Hurt asked if the motion intends for the Petitioner to install and maintain the electric usage. Commissioner Hansen confirmed that this is the intent.

Upon roll call, the vote was as follows:

Aye: Commissioner Geckeler, Commissioner Hansen, Commissioner Harris, Commissioner Lueking, Commissioner Midgley, Commissioner Rosenauer, Commissioner Wuennenberg, Chair Proctor

Nay: None

The motion passed by a vote of 8 to 0.

The vote on the motion to approve P.Z. 14-2016 18331, 18333 & 18335 Chesterfield Airport Rd. (LSL I, LLC and LSL II, LLC.), as amended, was as follows:

Aye: Commissioner Hansen, Commissioner Harris, Commissioner Lueking, Commissioner Midgley, Commissioner Rosenauer, Commissioner Wuennenberg, Commissioner Geckeler, Chair Proctor

Nay: None

The motion passed by a vote of 8 to 0.

C. P.Z. 16-2016 EJ Properties (16625 & 16635 Old Chesterfield Rd): A request for an amendment to City of Chesterfield Ordinance 2791 to modify permitted uses within an existing "PI" Planned Industrial District (LPA) for a 1.95 acre tract of land located at 16625 and 16635 Old Chesterfield Road.

Project Planner Cecilia Hernandez stated that the Petitioner seeks: (1) to have outdoor sales on the property for a seasonal farmer's market; (2) to allow a sno-cone stand; and (3) flexibility from the minimum parking requirements. A Public Hearing was held for this petition on December 12, 2016 followed by an Issues meeting on April 10, 2017. At that time, one issue remained open regarding the hours of operation for the surrounding area. There is only one site that has restricted hours of operation stipulated in its ordinance, which are 8:00 a.m. to 8:00 p.m. and those hours have been used in the Attachment A for this petition. The applicant is amenable to these restricted hours.

A question was also raised at the previous meeting as to how many buildings across the street were used for single-family homes. Staff has determined that there are six single-family homes across the street.

All issues have now been addressed and all agency comments have been received. The Commission has the ability to vote on this item tonight.

Discussion

Commissioner Geckeler referred to the parking requirements under the Unified Development Code and noted that the site is still 11 parking spaces short for the farmer's market, and 18 parking spaces short for the outdoor sales. She expressed concern that the Petitioner may not be able to adequately park the site, which could negatively affect the surrounding residences and businesses.

Councilmember Hurt stated that typically when there is not enough parking, vehicles park on the lot next door to the site.

Mr. Struckman stated that if there was a parking issue, vehicles could be parked on the three properties he owns across the street from the subject site, which would allow parking for 12 additional vehicles. After further discussion, Mr. Struckman clarified that the farmer's market would not be a traditional farmer's market. The farmer's market would be on a small scale and would include a produce stand mixed in with items that are generally sold indoors but would be moved outdoors. The farmer's market would be only once a week on Saturdays with farmers bringing in and selling their own produce.

It was pointed out to Mr. Struckman that when the Commission is making a determination on his request, it has to take into consideration how parking may be affected in the event that the site's use changes over time.

Commissioner Wuennenberg made a motion to approve P.Z. 16-2016 EJ Properties (16625 & 16635 Old Chesterfield Rd). The motion was seconded by Commissioner Rosenauer.

Upon roll call, the vote was as follows:

Aye: Commissioner Harris, Commissioner Midgley, Commissioner Rosenauer, Commissioner Wuennenberg, Chair Proctor

Nay: Commissioner Lueking, Commissioner Geckeler, Commissioner Hansen

The motion passed by a vote of 5 to 3.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 11:34 p.m.

Steve Wuennenberg, Secretary