

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
April 12, 1999**



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

I. PRESENT

Mr. Fred Broemmer
Mr. Charles Eifler
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Ms. Rachel Nolen
Ms. Victoria Sherman
Mr. Allen Yaffe
Chairman Robert Grant
Mr. Douglas R. Beach, City Attorney
Ms. Teresa Price, Director of Planning
Ms. Reveena Shook, Planner II
Ms. Angela McCormick, Planner I
Ms. Annissa McCaskill, Planner I
Ms. Kathy Lone, Executive Secretary/Planning Assistant

ABSENT

Mr. Jerry Right

II. INVOCATION: Commissioner Sherman

III. PLEDGE OF ALLEGIANCE: All

Chairman Grant recognized the attendance of Mayor Nancy Greenwood and Councilmember Larry Grosser (Ward II).

IV. PUBLIC HEARINGS:

- A. P.Z. 10-99 Chesterfield Corporate Park:** A request for a change in zoning from "M-3" Industrial District to "PI" Planned Industrial District for a 20 acre tract of land located on the north side of Chesterfield Airport Road, approximately 820' west of Long Road. (Locator Number: 17W 41 0038)
Proposed uses:
- Animal hospitals, veterinary clinics, and kennels;
 - 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;
- Broadcasting studios for radio and television;
- Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications;
- Business, professional, and technical training schools;
- Business service establishments;
- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- Churches shall be allowed on tracts of land of at least one acre in area;
- Financial institutions;
- Filling stations, including emergency towing and repair services;
- Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor and unlighted outdoor tennis courts (public or private);
- Hotels and motels.;
- Laundries and dry cleaning plants, not including personal and individual drop-off and pick-up service;
- 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 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;
- Mail order sale warehouses;
- Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
 - (i) Facilities producing or processing explosives or flammable gases or liquids;
 - (ii) Facilities for animal slaughtering, meat packing, or rendering;
 - (iii) Sulfur plants, rubber reclamation plants, or cement plants, and
 - (iv) Steel mills, foundries, or smelters;
- Medical and dental offices;
- Offices or office buildings;
- Outdoor advertising sign (additional to provisions of Section 1003.168.);
- 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;

- Plumbing, electrical, air conditioning and heating equipment sales, warehousing and repair facilities;
- Police, fire, and postal stations;
- Printing and duplicating services;
- 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;
- Sales, rental, and leasing of new and used vehicles, including automobiles, trucks, trailers, construction equipment, agricultural equipment, and boats, as well as associated repairs and necessary outdoor storage of said vehicles;
- Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture;
- Sales yards operated for a charitable purpose by a church, school, or other not-for-profit organization.;
- 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;
- Sewage treatment facilities, as approved by the appropriate regulatory agency;
- Permitted signs (See Section 1003.168 'Sign Regulations');
- Storage yards for lumber, coal, and construction materials;
- 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;
- Union halls and hiring halls;
- Vehicle repair facilities;
- Vehicle service centers;
- Vehicle washing facilities;
- Warehousing, storage, or wholesaling of manufactured commodities, live animals, explosives, or flammable gases and liquids;
- Welding, sheet metal, and blacksmith shops;
- Yards for storage of contractors' equipment, materials, and supplies,

excluding junk yards and salvage yards.

Planner I Angela McCormick gave a slide presentation of the subject and surrounding area.

Mr. George Stock, engineer for petitioner, noted the following:

- Lipton Realty wanted to import 75,000 yards of material but could not bring it to this site because of its M-3 zoning; thus, a development plan was put together that provided access via a cul-de-sac street off Chesterfield Airport Road, lining up with Chesterfield Industrial Blvd.;
- the Preliminary Plat has 12 lots, ranging in size from ½ acre to 2 ½ acres;
- potential retail, service/industrial, office and hotel uses;
- there are no particular developments under contract at this time;
- petitioner (Lipton Realty) is seeking rezoning and approval of a plan so that they may begin infrastructure improvements;
- storm water management plan would be in accordance with the Valley Master Plan;
- has designated an existing area within the center of the site to provide the required storm water detention and has incorporated Staff recommendations;
- working with MSD and their Master Plan to bring sanitary service to the site;
- access is from Chesterfield Airport Road and possible right in/right out along east property line that would serve two lots that front Chesterfield Airport Road with cross access link behind the properties.

COMMENTS/DISCUSSION

Chairman Grant suggested that the petitioner request realistic uses.

Mr. Stock stated that the petitioner is ready to make modifications to the uses but until improvements are made to the site, petitioner is concerned about limiting uses for potential developers but some of the uses could be deleted.

Commissioner Nolen is concerned about the right in/right out congestion for a fast food use.

Mr. Torsten Bjerregaard, President of Lipton Realty (petitioner), stated that there is a party

interested in building a hotel and two developers who want to put up small office buildings.

Commissioner Sherman stated that the Commission is concerned about how the buildings and parking will look from Highway 40. Commissioner Sherman also asked the petitioner to use novelty in the lots.

Commissioner Broemmer stated that attention needs to be paid to sidewalks and pedestrian walkways.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

REBUTTAL: Waived

Commissioner Layton read the next portion of the "Opening Comments."

- B. P.Z. 11-99 Swingley Ridge Development II, L.L.C. (Nardin Tract):** A request for a change in zoning from "R-2" Residence District to "PC" Planned Commercial District for a 4.6 acre tract of land located on the west side of Nardin, approximately 300 feet north of Swingley Ridge Road. (Locator Numbers: 18S-51-0229, 18S-51-0021 and 18S-23-0158) Proposed uses:
- Office or office buildings, 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, restaurants - sit-down;
 - The uses of 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 shall be ancillary to the office uses and shall be focused to the interior of the office building, with the exception of the use - restaurants - sit-down.

Planner I Angela McCormick gave a slide presentation of the subject and surrounding area.

Mr. Bob Brinkmann, 16650 Chesterfield Grove Road, Chesterfield, MO 63005, petitioner for P.Z. 11-1999 Swingley Ridge Development II, L.L.C. (Nardin Tract) stated the following:

- proposing 100,000 square foot office building;
- same uses were requested as those for the Swingley Ridge Office Building;

- there will be underground parking;
- there are Deed Restrictions on both plats of West County Acres (Nardin Tract) but they have been removed from Plat 1. The Deed Restrictions did not allow for commercial development. The Deed Restrictions on Plat 2 will remove themselves in the year 2005.
- 362 parking spaces will be provided, 333 are required;
- sanitary will be connected through the property and gravity-fed onto Nardin Road;
- water will come off Nardin Road;
- when the Hampton Inn was built, the street was partially improved to the back of the hotel. The petitioner would be willing to improve part of the street or, if there is enough right-of-way, improve the whole street.

COMMENTS/DISCUSSION

Commissioner Nolen expressed concern with the small landscape buffer.

Mr. Brinkmann stated that it is anticipated that the entire ridge will be commercial in the near future.

Mr. Brinkmann stated that he met with many of the residents who live on Nardin Road approximately 6 to 8 months ago and explained the rezoning.

Chairman Grant asked what the resident's reaction to the proposed development was.

Mr. Brinkmann stated that he has not heard anything negative. Most of the properties listed are at commercial prices. Mr. Brinkmann's intent was to show the residents what the developer intended to do.

Mr. Brinkmann explained the Deed Restrictions. The Deed Restrictions for both plats are identical. They were written 45 years ago. They state that the Deed Restrictions shall continue for 25 years and, if not amended, are renewed for another 25 years. The Deed Restriction states that there shall be no commercial development. Plat 1 only has five homeowners and all have agreed to remove the Deed Restrictions and they have been recorded. Plat 2 could also remove their Deed Restrictions if they got all of the homeowners to agree. It must be a unanimous consent to remove them. The Deed Restrictions can be renewed one time and, after the renewal time is up, they automatically expire if not amended. Plat 2's Deed Restrictions automatically expire in 2005.

Commissioner Sherman asked Mr. Brinkmann to discuss the grading issues on this project as quite a lot of elevation grade work was needed on the Swingley Ridge project.

Mr. Brinkmann stated that the two pieces of property are similar. He stated that the new site is a little less severe as it will have an underground parking structure. The only location to have tie walls will be along the roadway. There will be sidewalks along Nardin Road.

Commissioner Broemmer also expressed concern about the small buffer. He asked that it be given extra treatment.

SPEAKERS IN OPPOSITION:

1. Ms. Sandra M. Wilson, 844 Nardin Road, Chesterfield, MO 63017, spoke in opposition of P.Z. 11-1999 Swingley Ridge Development II, L.L.C. (Nardin Tract):
 - Speaker originally was opposed to this petition, but after listening to the petitioner, she would like to withdraw her opposition temporarily;
 - Speaker stated that she strongly recommends that the buying of the properties on Nardin Road be done as a whole and not piecemeal.
 - Speaker stated that she thinks that the Deed Restrictions for Plat 1 and Plat 2 are identical and they mention "an entity entitled West County Acres."

COMMENTS/DISCUSSION:

Mayor Greenwood asked the speaker if there had been subdivision meetings.

Ms. Wilson stated that there were meetings at which some of the homeowners were present.

SPEAKERS - NEUTRAL

2. Ms. Diane Patershuk, agent for Gundaker Realty, represents nine of the homeowners in West County Acres on Nardin Road, spoke neutral on P.Z. 11-99 Swingley Ridge Development II, L.L.C. (Nardin Tract):
 - Was approached by a resident to assemble all of the residents and sell property as a whole;
 - The homeowners that she represents are not opposed to the development. They wish to sell their property as commercial but their main concern is how their lives will be affected from

the time the development starts to when their properties are sold.

COMMENTS/DISCUSSION:

Chairman Grant stated that the only proposal before the Planning Commission was Mr. Brinkmann's. There is not a rezoning petition before the City to rezone the rest of the property.

Commissioner Eifler wanted clarification on what Ms. Patershuk was proposing.

Ms. Patershuk stated that the residents are for the development as long as the development does not take place before their properties are sold. Ms. Patershuk stated that the residents would like the Commission to hold up the development of the property until the rest of the property is sold.

3. Mr. Kevin Redhage, 814 Nardin Road, Chesterfield, MO 63017, resident of West County Acres, spoke neutral to P.Z. 11-99 Swingley Ridge Development II, L.L.C. (Nardin Tract);
- Speaker is concerned that developers will buy up the property in small amounts. Residents do not want to suffer any adverse consequences.

COMMENTS/DISCUSSION:

Commissioner Eifler asked the speaker if there was unanimous consent from the homeowners to waive the Indentures.

Mr. Redhage stated said there was unanimous consent among the homeowners that have their properties listed to sell and the homeowners not listed stated that they did not have anything against the development.

There were approximately ten property owners from West County Acres in attendance at the meeting.

Ms. Patershuk stated that the properties have been listed for approximately one to two years.

SPEAKERS IN OPPOSITION:

4. Mr. Len Greco, 830 Nardin Road, Chesterfield, MO 63017, spoke in opposition to P.Z. 11-99 Swingley Ridge Development II, L.L.C. (Nardin Tract);
- Residents in Plat 2 were under the assumption that if Nardin Road went commercial, all of the property would go commercial at once. That is what the residents want.

Commissioner Layton suggested that the residents get together and request that the area be rezoned for commercial use. Perhaps the area would be more attractive if it was already rezoned commercial.

REBUTTAL:

Mr. Brinkmann stated that his attorney said that Plat 1 and Plat 2 were recorded individually.

Mr. Brinkmann stated that access is through the present Swingley Ridge development but is also off Nardin Road.

Mr. Brinkmann stated that there are about 30 acres in this development. From the listing prices, the cost of the land would be between \$10 to \$30 million. No one developer can take that much property at one time. Mr. Brinkmann stated that the property he is rezoning is approximately 4.5 acres with a 100,000 square foot project. A vast amount of the land is unusable.

Mr. Brinkmann stated that he feels it is difficult to get that many people to remove the Deed Restriction. In 2005, the Deed Restriction will be gone and developers will come in and take small chunks of Nardin Road.

Mr. Brinkmann stated Sachs Properties bought the property at the end of the street to be able to continue the street and take it into some of his other developments.

Commissioner Layton read the final portion of the "Opening Comments."

V. APPROVAL OF MEETING MINUTES

A motion **to approve** the March 22, 1999 Meeting Minutes was made by Commissioner Macaluso and seconded by Chairman Grant. The motion **passes by a voice vote of 8 to 0**.

A motion **to approve** the March 25, 1999 Special Work Session Minutes was made by Commissioner Layton and seconded by Chairman Grant. The motion **passes by a voice vote of 8 to 0**.

VI. PUBLIC COMMENT:

1. Ms. Wendy Geckeler, 26 Chesterfield Lakes Road, Chesterfield, MO 63005, spoke concerning political signs;
- Speaker presented a copy of the sign ordinance and a diagram that the Department of Public

Works sends to political candidates. Speaker also presented pictures documenting sign ordinance violations. Speaker requested legal advice concerning the political sign ordinance.

2. Reverend David Boogerd, 17842 Wild Horse Creek Road, Chesterfield, MO 63005, spoke on behalf of St. Thomas Church concerning political signs;
- Speaker was concerned about a letter from the Planning Department in regards to political signs on the Church property which are put up by candidates and their representatives;
- Speaker would like regulation but does not feel that he should be the regulator.

VII. NEW BUSINESS

A. P.Z 06-1999 Gateway Academy: a request for a change of zoning for two parcels of land located on Wild Horse Creek Road, West of Long Road. Parcel A containing one (1) acre to be rezoned from “R-1” Residential District to “LLR” Large Lot Residential District (Locator Number 18V130099). Parcel B containing 30.9 acres to be rezoned from “NU” Non-Urban District to “LLR” Large Lot Residential District (Locator Number 18V140098). Total area to be rezoned: 31.9 acres.

Proposed uses:

Private school or other uses which may be sought under the Chesterfield Zoning Ordinance.

Planner I Annessa McCaskill gave an overall presentation of this petition. Staff recommends approval of the rezoning of Gateway Academy.

Commissioner Layton made a motion **to approve** the request for rezoning of P.Z. 06-1999 Gateway Academy. The motion was seconded by Commissioner Broemmer.

Upon a roll call, the vote was as follows: **Commissioner Eifler, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Sherman, yes; Commissioner Yaffe, yes; Commissioner Broemmer, yes; Chairman Grant, yes.**

The motion passes by a vote of 8 to 0.

VIII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. P.C. 78-82 Insight Technologies Group:** A Site Development Section Plan,

Landscape Plan and Architectural Elevations in the "M-3" Planned Industrial District for 5.13 acres located on the northeast corner of Goddard and Chesterfield Airport Road.

Commissioner Eifler, on behalf of the Site Plan Committee, recommends that the Site Development Section Plan, Landscape Plan and Architectural Elevations for P.C. 78-82 Insight Technologies Group, be **approved**. The motion was seconded by Chairman Grant and passes by a voice vote of 8 to 0.

- B. P.Z. 33-98 YMCA; Site Development Plan, Landscape Plan and Architectural Elevations for additions to the existing YMCA building in a "PC" Planned Commercial District for a 9.0 acre tract of land located on Burkhardt Place, 400 feet West of Chesterfield Parkway.

Commissioner Eifler, on behalf of the Site Plan Committee, recommends that the Site Development Plan, Landscape Plan and Architectural Elevations for the addition to the existing YMCA building be **approved**. The motion was seconded by Chairman Grant and passes by a voice vote of 8 to 0.

- C. Chesterfield Business Park; a Site Development Concept Plan, Conceptual Architectural Design, Typical Building Plan and Typical Elevation--in a "PI" Planned Industrial District located on the north side of the Edison Extension, south side of Chesterfield Airport Road and west of Long Road. The proposal consists of an approximately 15.8 acre, eight-(8) building office condominium project and 1.8-acre veterinarian complex. (P.Z. 22-98 G.H.H. Investments, L.L.C.)

Commissioner Eifler, on behalf of the Site Plan Committee, recommends that the Site Development Concept Plan, Conceptual Architectural Design, Typical Building Plan and Typical Elevation for Chesterfield Business Park be **approved**. The motion was seconded by Chairman Grant and passes by a voice vote of 8 to 0.

- D. Towne Centre; a Site Development Concept Plan and Elevations--in a "PC" Planned Commercial District located on the south side of Edison Extension, south of Chesterfield Airport Road and west of Long Road. The project consists of a two-story retail commercial center and five-(5) free standing commercial out lots. (P.Z. 22-98 G.H.H. Investments, L.L.C.)

Commissioner Eifler, on behalf of the Site Plan Committee, recommends that the Site Development Concept Plan and Elevations for Towne Centre be **approved subject to the following contingencies: that the proposed landscape plan become a part of the Site Development Concept Plan package and, that the 10-foot permanent roadway improvement, maintenance, sidewalk, sewer and utility easement, and the 6-foot sidewalk easement along Long Road be depicted (included) on the plan.** The motion was seconded by Chairman Grant

and passes by a voice vote of 8 to 0.

- F. **Hampton Inn & Suites**; a Site Development Section Plan, Elevations and Landscape Plan for a 3.37 acre “C-8” Planned Commercial District site located north of Chesterfield Airport Road and west of Boones Crossing. The project proposes to construct a (3) story, 119 room, and 79,184-square feet hotel.

Commissioner Eifler, on behalf of the Site Plan Committee, recommends that the Site Development Section Plan, Elevations and Landscape Plan for Hampton Inn & Suites be **approved contingent on the approval of the McBride & Son Center Amended Site Development Concept Plan**. The motion was seconded by Chairman Grant and passes by a voice vote of 8 to 0.

- G. **McBride & Son Center**; an Amended Site Development Concept Plan—for a 9.28 acre “C-8” Planned Commercial District site located on the north side of Chesterfield Airport Road and west-side of Boones Crossing. The purpose is to amend the existing Site Development Concept Plan—to allow the characteristics of the northeast portion to be switched with that of the northwest with minor modifications.

Commissioner Eifler, on behalf of the Site Plan Committee, recommends that the Amended Site Development Concept Plan for McBride & Son Center be **held**. The motion was seconded by Chairman Grant and passes by a voice vote of 8 to 0.

- E. **Chesterfield Commons – Sam’s Club**; a Site Development Section Plan, Elevations, and Landscape Plan—in a “PC” Planned Commercial District located south of Chesterfield Airport Road, north of Edison Avenue and east of Long Road. The retail store is centrally located within the Chesterfield Common’s shopping center project. (P.Z. 24-97 THF Chesterfield Development L.L.C./Chesterfield Commons)

Planner II Reveena Shook gave an overview of the project:

- Developer has proposed approximately 129,000 square feet of retail;
- Original Site Plan was approved by the Planning Commission in December. Amendments were made to that plan in regards to providing for landscape spines in the parking lot. The City Council approved the plan. The City Council approved a linear plan that provided for the development to be approximately ¾ mile;
- Sam’s Club has an access off the main parking lot;

- There will be 2 truck docks, one completely enclosed;
- The building materials are the same that will be used for the rest of the Commons;
- At their March meeting, the Architectural Review Board had a concern about the setback and the articulation but a colored rendering of the elevations has since been submitted;
- The carts will be stored in-house but there will be places for the carts in the parking lot after customer use;
- The immediately adjacent properties have yet to be developed;
- A portion of Sam's (108 feet by 15 feet) projects from the front of the building;
- Even with the above projection, there is a sidewalk for pedestrians;
- There will be a driveway on the east side of the building with parking spaces for customers using the tire center;
- The entire shopping area of the project will be 4,000 linear feet;
- Sam's is a total of 341 linear feet.

Teresa Price stated that the City Council approved a plan on January 4, 1999 that was conceptual in nature as well as site specific on section plans. The discussion now is what is to be done within the shopping area. After City Council approved the plan, there was Amendment 1 which was approved in-house. Amendment 1 reconfigured the area with the two anchors.

Chairman Grant stated that the Planning Commission must live within the confines of what the City Council approved.

Commissioner Layton stated that an earlier plan with the movie theatre had much harsher shrubbery and no main entrances. Commissioner Layton stated that a lot has been done to the plan since they saw it that is very favorable.

Commissioner Macaluso asked if there were other shopping area developments that allowed a drive-through in the middle of the shopping area. How will delivery trucks, etc. be stopped from cutting through so they will not have to go to the ends of the shopping area to get to the back of the buildings?

Ms. Shook stated that the Ordinance does not allow a service truck to enter from the front. They have to enter from the back of the shopping area.

Teresa Price stated that the drive-through has not been approved as a sectional plan, just as a concept plan.

Commissioner Eifler stated he has concerns about the drive-through as a potential safety problem.

Ms. Shook stated that the drive-through will be 40 feet wide and is intended for cars receiving automobile service at the Sam's Club.

Commissioner Broemmer stated that the plan has the feeling of a warehouse. This is not what he had envisioned for the area.

Commissioner Layton stated that in approving this plan as submitted, a pattern will be set for the approval of both sides.

Chairman Grant asked the petitioner to state his reasoning on the plan before it is voted on.

Mr. Mike Doster, attorney for the petitioner, stated that the articulation of the center was an issue from the beginning but that the center was proposed as linear in nature. Mr. Doster stated that what was approved by the City Council on January 4, 1999 was a linear center. The concern now is the articulation on the front of the building. Sam's Club wants to be at the center of the shopping area. It wants its front to be at the same level as the other users along the front of the center. The building can not be moved back due to the storm water retention in the rear.

Chairman Grant asked the petitioner if the driveway or parking lot could be cut off so only people using the tire center would be using this area.

Mr. Doster stated the petitioner could place a stop sign in front, have a cut-off at the rear, etc. If the cut-off is permanent, it could not be used for emergency vehicles. This is the only break in the front of the entire shopping center.

Commissioner Eifler questioned the use of temporary signs.

Teresa Price stated that the approved plan states that window signage and temporary banners be eliminated.

Commissioner Eifler, on behalf of the Site Plan Committee, recommends **approval** of a Site Development Section Plan, Elevations, and Landscape Plan for Chesterfield Commons – Sam's Club (P.Z. 24-97 THF Chesterfield Development L.L.C./Chesterfield Commons), **with the condition that access between the parking lot and Edison Avenue not be allowed to the east of the proposed Sam's Club (cut through between the two retail stores)**. The motion was seconded by Chairman Grant.

Upon a roll call the vote was as follows: Commissioner Layton, no; Commissioner Macaluso, no; Commissioner Nolen, no; Commissioner Sherman, yes; Commissioner Yaffe, no; Commissioner Broemmer, no, Commissioner Eifler, yes; Chairman Grant, yes.

The motion fails by a vote of 3 to 5.

There were no more motions proposed by the Planning Commission for Sam's Club.

Chairman Grant stated that the particular Site Plan that had been submitted was not approved. Petitioner may resubmit another plan for consideration.

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 -

Director of Planning Teresa Price stated that the members of the Comprehensive Plan Committee had received a memorandum in their packet concerning selection of a date and time to meet. Committee members will inform Committee Chairman Broemmer of times that they are available.

- E. Procedures and Planning Committee - No report

Commissioner Layton stated that he had received a fax concerning the City of Chesterfield receiving an upgraded bond rating from Moody's to AA1. The City now has the highest bond rating in St. Louis County. Commissioner Layton stated that this is a tribute to all elected, appointed and paid employee staff of the City of Chesterfield.

A motion to adjourn was made by Commissioner Broemmer and seconded by Commissioner Eifler. The motion **passes by a voice vote of 8 to 0.**

The meeting adjourned at 9:38 p.m.


Fred Broemmer, Secretary