

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
APRIL 11, 2011**

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

I. ROLL CALL

PRESENT

ABSENT

Mr. David Banks
Mr. Bruce DeGroot
Ms. Wendy Geckeler
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Michael Watson
Mr. Steven Wuennenberg
Chairman G. Elliot Grissom

Councilmember Matt Segal, Council Liaison
City Attorney Rob Heggie
Mr. Mike Geisel, Director of Planning, Public Works and Parks
Ms. Aimee Nassif, Planning & Development Services Director
Ms. Susan Mueller, Principal Engineer
Ms. Mara Perry, Senior Planner
Mr. Shawn Seymour, Senior Planner
Mr. Justin Wyse, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE – All

III. SILENT PRAYER

Chair Grissom acknowledged the attendance of Mayor-Elect Bruce Geiger; Councilmember Matt Segal, Council Liaison; Councilmember Connie Fults, Ward IV; and Councilmember Bob Nation, Ward IV.

IV. PUBLIC HEARINGS – None

V. APPROVAL OF MEETING MINUTES

Commissioner Watson made a motion to approve the minutes of the March 28, 2011 Planning Commission Meeting. The motion was seconded by **Commissioner Banks** and **passed** by a voice vote of 9 to 0.

VI. PUBLIC COMMENT

A. The Reserve at Chesterfield Village (Phase Two)

Petitioners:

1. Mr. Chris Matteo, Pulte Homes, 1403 Country Lake Estates Drive, Chesterfield, MO was available for questions.
2. Mr. Jerry Duepner, Pulte Homes, 16640 Chesterfield Grove, Chesterfield, MO was available for questions.

B. Chesterfield Commons and Chesterfield Commons North

Petitioner:

Mr. Andy Edwards, Verizon Wireless, 14001 Bradshaw Street, Overland Park, KS was available for questions.

City Attorney Rob Heggie asked Mr. Edwards if he was clear on what was requested during the Site Plan Committee meeting. Mr. Edwards responded that it is his understanding that the Committee is recommending that Verizon explore the possibility of adding the Verizon signage to the existing UBS signs currently installed on the building. Mr. Heggie added that Staff will work with the Petitioner to try and insure that the sign clearly depicts that UBS and Verizon are two separate companies.

C. Clarkson Wilson Centre

Petitioner:

Mr. Gene Holtzman, Hutkin Development Company, 1829 Olive, Creve Coeur, MO stated that Hutkin is the management company for Clarkson Wilson Centre. He added that he would address some of the points regarding the proposed monument sign with tenant panels:

- They review proposed signs to determine whether they are “causing any harm to tenant interests, our interests, the design and integrity of the Centre or in terms of the codes”.
- They believe the subject sign is attractive and is an upgrade in the character and look of the signage; and feel it integrates better architecturally and in terms of color. They feel the proposed retaining wall and landscaping around the sign will create an attractive design feature within the Centre.

- They have had an architectural company do a video rendering and they are satisfied that the sign does not obstruct visibility to the road. The sign meets the sight distance triangle requirements.
- They are 100% convinced that the proposed \$49,000 sign is necessary. Speaker noted that when the Centre was developed, there was not much competition in the area; however the Centre is now in competition with Chesterfield Valley and approximately 20 new developments in the area.
- The need for identification is greater on the part of tenants – the tenants have concerns that no one knows they are there or that they can be seen. The Centre “is not, in and of itself, sufficiently self-sustaining by the neighborhood and being a draw in the area”.
- The contour of Clarkson Road, combined with the layout of the site, makes the tenant signage from 90% of the approaches invisible.
- They feel the proposed sign is an improvement to the look and appeal of the Centre. Speaker noted that there is “a difference of about three feet in height over what the code would allow” and they see it “as absolutely critically necessary to retain the existing tenants”.

D. P.Z.11-2010 & P.Z.12-2010 Chesterfield Senior Living (Plan Provisions, LLC)

Petitioner:

Mr. Brandon Harp, Principal at Civil Engineering Design Consultants, 11402 Gravois, St. Louis, MO stated that subsequent to receiving the Staff Report, he sent a letter to Mr. Wyse indicating that the Petitioner would like to amend the petitions as follows:

- P.Z. 11-2010: Amend the requested zoning from “R-2” to “E-1” Estate One Acre District
- P.Z. 12-2010: Withdraw this petition completely

E. P.Z. 15-2010 Highland on Conway (Delmar Gardens at Conway Ridge III, LLC)

Petitioner:

Mr. John King, representing Delmar Gardens, 7701 Forsyth, Clayton, MO was available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. The Reserve at Chesterfield Village (Phase Two):** Amended Site Development Section Plan and Amended Landscape Plan for a 17.65 acre lot of land zoned "R5" and "FPR5" Residence District with a "PEU" Planned Environment Unit located at Baxter Road southeast of the intersection with Wild Horse Creek Road.

Commissioner Proctor, representing the Site Plan Committee, made a motion recommending approval of the Amended Site Development Section Plan and Amended Landscape Plan for **The Reserve at Chesterfield Village (Phase Two)** with the following amendments:

- a. The rear lot lines for lots 64-66 will be moved to the west outside of the designated Tree Preservation area; and
- b. The Tree Preservation area will be placed into common ground.

The motion was seconded by Commissioner Geckeler and **passed** by a voice vote of 9 to 0.

- B. Chesterfield Commons and Chesterfield Commons North:** A request for an amendment to the Sign Package for the Chesterfield Commons and Chesterfield Commons North developments to allow for an additional wall sign on the north façade of the building located at 17107 Chesterfield Airport Road.

Commissioner Proctor, representing the Site Plan Committee, made a motion recommending denial of an amendment to the Sign Package for **Chesterfield Commons and Chesterfield Commons North**. The motion was seconded by Commissioner Geckeler and **passed** by a voice vote of 9 to 0.

- C. Clarkson Wilson Centre:** A request for a free-standing sign to exceed six (6) feet in height, with an outline area to exceed fifty (50) square feet located on a 5.428 acre tract of land zoned "PC" Planned Commercial District, located at the intersection of Clarkson Road and Wilson Avenue.

Commissioner Proctor, representing the Site Plan Committee, made a motion recommending denial of a free-standing sign to exceed six (6) feet in height, with an outline area to exceed fifty (50) square feet for **Clarkson Wilson Centre**. The motion was seconded by Commissioner Puyear and **passed** by a voice vote of 9 to 0.

VIII. OLD BUSINESS

- A. **P.Z. 11-2010 Chesterfield Senior Living (Plan Provisions, LLC)**: A request for a change of zoning from a “PC” Planned Commercial District to an “R-2” Residence District for an 8.04 acre tract of land located north of Wild Horse Creek Road and west of Long Road (18V510138).

Mr. Justin Wyse, Project Planner stated that the Public Hearing for this project was held on November 22, 2010 at which time the request was for a change in zoning to the “R-4” District. The zoning request was later amended to the “R-2” District and now the Petitioner is requesting the “E-1” designation.

The site is generally located within a residential context with a gross density that is slightly less than one acre. Staff believes that the “E-1” One Acre Estate District would be consistent with the existing land use patterns and densities. Additionally, the “E-1” designation, would allow for a Conditional Use Permit (CUP) for a nursing home use. It was noted that the *nursing home* use is not an available use in any of the commercial districts.

The Future Land Use Map identifies the site as a *Neighborhood Office* use.

Ms. Aimee Nassif, Planning and Development Services Director asked Mr. Wyse to clarify whether an Attachment A is necessary with the “E-1” District. Mr. Wyse stated that the “E-1” designation is a straight zoning district; therefore, there is no Attachment A. If the request is approved, the site would be allowed to develop under the terms and conditions contained within the City’s Zoning Ordinance. The only relief from the standards of the Zoning Ordinance would be through a variance procedure. Contained within the Ordinance are Conditional Uses whereby the Petitioner could submit an application and a Public Hearing would be held before the Planning Commission. A vote would be taken upon whether the use is appropriate for the location. If the Planning Commission approves the CUP, there is a fifteen-day waiting period. If there are no objections from City Council or from landowners through an appeal as outlined in the Zoning Ordinance, the permit would become effective.

Commissioner Geckeler made a motion to approve P.Z. 11-2010 Chesterfield Senior Living (Plan Provisions, LLC) with the clarification that the zoning would be amended on a tract of a land known as Chesterfield Senior Living from “PC” with the Wild Horse Overlay to “E-1” Estate One-Acre District. The motion was seconded by Commissioner Nolan.

Upon roll call, the vote was as follows:

Aye: Commissioner Banks, Commissioner DeGroot,
Commissioner Geckeler, Commissioner Nolan,
Commissioner Proctor, Commissioner Puyear,
Commissioner Watson, Commissioner Wuennenberg
Chairman Grissom

Nay: None

The motion passed by a vote of 9 to 0.

B. P.Z. 12-2010 Chesterfield Senior Living (Plan Provisions, LLC): A request for a change of zoning from an “R-2” Residence District to a “PUD” Planned Unit Development District for an 8.04 acre tract of land located north of Wild Horse Creek Road and west of Long Road (18V510138).

At the request of the Petitioner, Chair Grissom stated he would accept a motion to withdraw without prejudice P.Z. 12-2010.

Commissioner Puyear made a motion to withdraw P.Z. 12-2010 Chesterfield Senior Living (Plan Provisions, LLC) without prejudice. The motion was seconded by Commissioner Watson.

Upon roll call, the vote was as follows:

Aye: Commissioner DeGroot, Commissioner Geckeler,
Commissioner Nolan, Commissioner Proctor,
Commissioner Puyear, Commissioner Watson,
Commissioner Wuennenberg, Commissioner Banks,
Chairman Grissom

Nay: None

The motion passed by a vote of 9 to 0.

- C. **P.Z. 15-2010 Highland on Conway (Delmar Gardens at Conway Ridge III, LLC)**: A request for a change of zoning from a “PC” Planned Commercial District to a “PC” Planned Commercial District of 5.2909 acres in size and located on the north side of US Highway 40/Interstate 64 east of its intersection with Chesterfield Parkway and west of its intersection with Timberlake Manor Parkway (18R110745).

Mr. Shawn Seymour, Senior Planner stated that a Public Hearing was held on February 14, 2011. The property is undeveloped and is surrounded by developed properties - commercial to the east and west, and residential directly to the north.

At the Public Hearing, no issues directly relating to the zoning request were identified, but several site plan related concerns were presented. The site plan concerns are as follows:

1. *Ability to provide the required thirty (30) foot landscaped buffer at the north property line, adjoining the residential properties.*

The petitioner has amended their preliminary site layout and shifted the proposed parking structure **five (5) feet further** away from the northern boundary of the site, therefore being able to accommodate all thirty (30) feet of the buffer on their property.

2. *Accuracy of the Tree Stand Delineation.*

The City Arborist reviewed the initial submittal of the tree stand delineation (TSD) and found a number of inconsistencies. The petitioner subsequently revised the TSD, which has been reviewed and now meets the City Arborist’s standards.

Further, comments were made at the Public Hearing regarding trees that were removed from the subject site. Staff has investigated this concern and has not found any violations of illegal tree removal on the subject site. Staff did review the project files from previous requests, both for the subject site and the surrounding properties, and did find that trees were removed from adjacent sites previously owned by the Senseman family.

3. *Ability to preserve 30% of the existing tree canopy.*

Currently, the petitioner is unaware of the exact number of trees or percentage of tree canopy that they will be able to preserve, but they are aware of the 30% requirement. They have not completed a Tree Protection Plan at this time but it will accompany the Tree Stand Delineation Plan at site plan review, which will give the City an exact percentage of tree canopy to be preserved.

Currently, the site has 135,000 square feet of tree canopy and 30% of that would be approximately 40,000 square feet.

4. Architectural lighting and parking structure lighting.

Concerns were raised at the Public Hearing regarding the existing Delmar Gardens building and its architectural lighting impeding on the residential properties to the north. The Petitioner has addressed this issue with the residents.

The Petitioner is sensitive to the concerns of the residents and will insure that the proposed building will have a level of lighting that is suitable for both parties.

The parking lot structure was also a concern with regards to the lighting and the height of the lighting standards on the top floor of the parking structure. The previous ordinance stated that lighting fixtures on the parking structure would not exceed 24 feet in height. The proposed Attachment A has lowered the height by four feet to meet the City's Lighting Ordinance requirements so the height will not exceed 20 feet.

5. Setbacks

The Petitioner is modifying a few of the setbacks to better coordinate this site with the property that they own immediately to the west. The following setbacks are being requested:

Setbacks	Existing	Proposed	
north	280 ft.	30 ft.	The current "PC" District was written in error and did not consider the parking structure to be a structure. As this is not consistent with City Code, the setback has been changed to reflect the fact that the parking structure is a structure and will have to meet structure setbacks.
south	80 ft.	65 ft.	
east	180 ft.	45 ft.	The structure setback from the east side was dramatically decreased in the same way it was from the north side. The Petitioner had not included in the original ordinance the parking structure to be part of the overall structure setbacks.
west	75 ft.	35 ft.	This an extension of the property the Petitioner owns to the west. The idea is to pull the building further to the west and south to utilize the curvilinear architecture to create a one-development kind of feel.
Parking Setbacks	Existing	Proposed	
north	25 ft.	30 ft.	
south	240 ft.	65 ft.	The 240-foot setback pertains to the distance from South Outer 40. This setback has been changed to be more in line with what is being requested.
east	33 ft.	45 ft.	
west	35 ft.	0 ft.	

The following table shows the building setbacks of adjacent properties from the right-of-way of North Outer 40:

Subject Proposal	65 feet
Delmar Gardens to the west	135 feet
Chesterfield Place	52 feet
40 West Office Building	30 feet

Ms. Nassif asked Mr. Seymour to clarify that the Petitioner will be able to maintain the landscape buffer, as required, between the subject site and the residential property. Mr. Seymour confirmed that the buffer will be maintained.

Commissioner Wuenneberg asked about the elevation of the parking structure with respect to the homes behind it. Mr. Seymour stated that the maximum height of the parking structure is written at 585 feet above sea level. The top floor level of the parking structure will not exceed the top floor level of the residential structures behind it. The Preliminary Plan shows the parking structure at 582.5 feet.

Commissioner Nolan made a motion to approve P.Z. 15-2010 Highland on Conway (Delmar Gardens at Conway Ridge III, LLC). The motion was seconded by Commissioner Wuennenberg.

Upon roll call, the vote was as follows:

**Aye: Commissioner Geckeler, Commissioner Nolan,
Commissioner Proctor, Commissioner Puyear,
Commissioner Watson, Commissioner Wuennenberg
Commissioner Banks, Commissioner DeGroot,
Chairman Grissom**

Nay: None

The motion passed by a vote of 9 to 0.

IX. NEW BUSINESS

Ms. Nassif announced that the Planning Commission Training Session is scheduled for **Wednesday, May 4th at 5:30 p.m.**

Ms. Nassif also reported that through the work of the Commission and Staff, the Parking Code has been updated, noting that it had not been updated since 1997. Sue Mueller, Justin Wyse and Ben Niesen worked diligently on this project and as a result of their effort, the City was awarded the *2011 Award for Outstanding Planning Project or Tool* from the St. Louis Metro American Planning Association.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:35 p.m.

Michael Watson, Secretary