

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
March 22, 2004**

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

I. PRESENT

Mr. David Banks
Dr. Maurice L. Hirsch, Jr.
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. B. G. Wardlaw
Chairman Victoria Sherman
City Attorney Doug Beach
Mr. Barry Streeter, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Annissa McCaskill-Clay, Senior Planner
Mr. David Bookless, Project Planner
Mr. Michael Hurlbert, Project Planner
Ms. Kathy Lone, Planning Assistant

ABSENT

Mr. Fred Broemmer

II. INVOCATION: Commissioner Banks

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Council Liaison Barry Streeter (Ward II).

Commissioner Macaluso read the first portion of the 'Opening Comments.'

IV. PUBLIC HEARINGS:

- A. **P.Z. 02-2004 Summit Development (Valley Gates Buildings)**: A request for a change in zoning from an "NU" Non-Urban District to a "PC" Planned Commercial District for an approximately 7.698-acre tract of land located on North Outer Forty Road east of Boone's Crossing (Locator No. 17T-52-0073).

Proposed Permitted Uses:

- (d) Arenas and stadiums.
- (e) Associated work and storage areas required by a business, firm, or service to carry on business operations.
- (f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
- (j) Broadcasting studios for radio and television.
- (l) Cafeterias for employees and guests only.
- (m) Child care centers, nursery schools, and day nurseries.
- (n) Colleges and universities.
- (s) Financial institutions.
- (u) Hospitals.
- (v) Hotels and motels.
- (x) Medical and dental offices.
- (y) Mortuaries.
- (z) Offices or office buildings.
- (bb) Outpatient substance abuse treatment facilities.
- (ff) 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.
- (gg) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.
- (hh) Restaurants, fast food.
- (ii) Restaurants, sit down.
- (kk) 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.
- (ll) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture.
- (mm) Schools for business, professional, or technical training, but not including outdoor areas for driving or heavy equipment training.

- (nn) Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craft persons, 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.
- (pp) Permitted signs (See Section 1003.168 "Sign Regulations").
- (rr) 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.
- (vv) Vehicle service centers for automobiles.

Project Planner David Bookless gave a power point presentation of the subject site and surrounding area.

1. Mr. George Stock, Stock and Associates, 425 North New Ballas Road, St. Louis, MO 63141, engineer and speaking in favor of **P.Z. 02-2004 Summit Development (Valley Gates Buildings)**, stated the following:

- Petitioner also owns U.S. Ice Sports Complex which is located next to this site;
- Rezoning from 'NU' Non-Urban to 'PC' Planned Commercial;
- Proposal is for two (2) 2-story buildings at 45,000 square feet each;
- There would be one (1) point of ingress and egress with circulation around the buildings;
- There would be 450 parking spaces;
- At this time, there is no specific use for the buildings but are planning on approximately 50% office and 50% retail;
- Site is 7.9 acres – 1 acre is the building footprint, 4 acres is the parking lot and 2.5 acres is the green space (32%);
- The green space percentage is consistent with some of the other developments in the area;
- Site has water and sewer;
- The site is over-parked for 50% retail and 50% office (360 parking space requirement) but if all medical, office or retail, 450 parking spaces would be sufficient;
- Petitioner will review the permitted uses;
- Petitioner will review cross access with the ice complex;
- The property line starts at the levee.

2. Mr. Scott Reese, Summit Development Corporation, 10 South Brentwood, Clayton, MO 63105, petitioner and speaking in favor of **P.Z. 02-2004 Summit Development (Valley Gates Buildings)**;

- Speaker stated he was present to answer questions.

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL – None

REBUTTAL – None

Mr. Bookless stated that the following issues would be reviewed and addressed:

- Distribution of retail between the two (2) buildings;
- Cross-access to the parcels to the east and west of this site;
- Clearer definition of ‘flex’ building;
- Whether the parking is sufficient for the possible mix of uses;
- Number of uses beyond the office/medical/retail;
- Location of the levee relative to the property line;
- Clarification of other permitted uses at the ice complex;
- Dedication of an easement to the City for pathways on top of the levee for pedestrians and bikers;
- Allowable building height on this side of Highway 40;
- What uses the Comprehensive Plan calls for in this area;
- Phantom (deferred) parking.

Chairman Sherman stated that **P.Z. 02-2004 Summit Development (Valley Gates Buildings)** would be held until all issues are reviewed and addressed.

Commissioner Macaluso read the next portion of the ‘Opening Comments.’

- B. P.Z. 4-2004 City of Chesterfield (Residential Service Area):** A request to amend Section 1003.182 of the Zoning Ordinance to establish new criteria for a Residential Service Area (currently known as Commercial Service Procedure.)

Senior Planner Annissa McCaskill-Clay gave a power point presentation for **P.Z. 4-2004 City of Chesterfield (Residential Service Area)**. Ms. McCaskill-Clay stated that this petition would allow for changes to the current standards and change the name of Commercial Service Procedure (CSP) to Residential Service Area (RSA). Ms. McCaskill-Clay stated that changes recommended by the Ordinance Review Committee include:

- Limit service and commercial activity within existing single-family residential structures with driveways entering onto four (4) lane portions of State highways;
- ‘NU’ Non-Urban districts will be required to rezone before being considered as an RSA;

- A maximum of four (4) parking spaces shall be allowed on RSA's;
- Application requires a specific description of proposed uses for the property.

Commissioner Macaluso asked, if there is an RSA application that is not on a four (4) lane portion of a State highway, do they have to wait until there are four (4) lanes?

Ms. McCaskill-Clay stated that they do.

Commissioner Macaluso suggested including the Estate Districts for the rezoning section.

Ms. McCaskill-Clay stated that current conditions for a Commercial Service Procedure (CSP) require the number of parking spaces to be based on square footage of the house. Ms. McCaskill-Clay stated that under this ordinance amendment, a petitioner would have to get the approval of Planning Commission for more than four (4) parking spaces.

City Attorney Doug Beach stated that there are some inconsistencies: A wording problem with the number of parking spaces that should either be a maximum or subject to Planning Commission approval and have criteria that would allow more than four (4) parking spaces. Mr. Beach stated that with the rezoning section, they could make their request to rezone at the same time so they do not have to go through a 2-step process. Mr. Beach suggested tightening up the allowable uses-possibly only uses that will just have a few cars (i.e., insurance agency or lawyer's office.) Mr. Beach also suggested wording that for any other use than what is currently allowed, the petitioner must get approval of the Planning Commission.

Commissioner Hirsch suggested page 4, '13. Procedures, (1) Application, (b) Written description of the proposed use for the property.' Have the petitioner provide a written rationale that the request meets the criteria of the ordinance.

Commissioner Perantoni asked for the language in the ordinance amendment to be more definitive.

Commissioner Layton expressed concern with the wording 'totally appropriate' in 'Section 2. Purpose and Intent.'

Ms. McCaskill-Clay stated that the four (4) State highways in Chesterfield are Olive Street Road, Clayton Road, Woodsmill Road (141) and Clarkson Road.

Commissioner Macaluso stated that she would like to know the differences between where Commercial Service Procedures (CSP's) are allowed now versus where Residential Service Areas (RSA's) would be allowed in the future.

Councilmember Streeter asked if a person is living in the house, does the living space count as part of the square footage for the parking calculations?

Commissioner Hirsch asked if Commercial Service Procedure (CSP) is a better identification name than Residential Service Area (RSA).

City Attorney Beach asked if commercial vehicles are being parked on the site, is this in keeping with the residential character of the neighborhood?

General discussion followed concerning sending this petition to the Ordinance Review Committee for further review.

Commissioner Banks suggested using the same wording (adding the words 'entering onto') in Section 5 as done in Section 1 pertaining to the four (4) lane portions of State Highways.

Commissioner Hirsch made a motion to send **P.Z. 4-2004 City of Chesterfield (Residential Service Area)** to the Ordinance Review Committee on Thursday, March 25, 2004 at 3:00 p.m. at City Hall for further review. The motion was seconded by Commissioner Macaluso and **passes** by a voice vote of 8 to 0.

Commissioner Macaluso read the closing portion of the 'Opening Comments.'

V. APPROVAL OF MEETING MINUTES

Commissioner Wardlaw made a motion to approve the March 8, 2004 Meeting Minutes. The motion was seconded by Commissioner Hirsch and **passes** by a voice vote of 8 to 0.

VI. PUBLIC COMMENT -

1. Mr. John Wagner, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, speaking in favor of **P.Z. 37-2003 THF Chesterfield Commons Six**;
 - Speaker stated that fast food restaurants are a permitted use in the River Crossing ordinance;
 - Speaker stated that fast food restaurants are not a permitted use in the McBride and Son ordinances.
2. Mr. Dean Burns, THF Realty, 2127 Innerbelt Business Center Drive, St. Louis, MO 63114, speaking in favor of **P.Z. 37-2003 THF Chesterfield Commons Six**;
 - Speaker stated that light standards are 39 feet high at Plaza at Boone's Crossing, Taylor Morley Building, Chesterfield Commons Village and Chesterfield Commons;
 - Speaker stated that ambient, safe light without the glare will be provided;

- Speaker stated that the ordinance allows only 16-foot high light standards, petitioner is requesting 39 feet but could work with 30-foot high light standards.
3. Mr. Ron Nelson, 1551 Wall Street, St. Charles, MO, petitioner and speaking in favor of **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**;
- Speaker stated that he was present to answer questions.
4. Mr. Jason Combs, 1910 Pine, St. Louis, MO, engineer and speaking in favor of **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**;
- Speaker stated that there are three (3) areas of retaining walls in the proposed development;
 - Speaker stated that the stub street will not connect to Knollwood Drive, only if there is a new development there;
 - Speaker stated that with regards to trees that are 8" or greater in diameter, only trees #105 and #106 will be able to be saved;
 - Speaker stated that trees #115 through #122 cannot be saved due to their root system being cut due to the depth of the retaining walls and placement of sidewalks;
 - Speaker stated that tree #105 could probably be saved and #106 would need the root system preserved and have selective pruning in order to stabilize it;
 - Speaker stated that water would be contained at the site of trees #129, #130 and #131.

Commissioner Macaluso expressed concern with trees that will be removed and replaced by much smaller ones. Commissioner Macaluso stated that less than 4% of the trees are being saved on this site.

5. Mr. Terry Barnes, Koman Properties, 8027 Forsyth, St. Louis, MO, speaking in favor of **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreen's)**;
- Speaker presented two (2) exhibits showing the overall development and the Walgreen's lot with an overlay showing the highway design;
 - Speaker stated that most of the customers from Walgreen's will be exiting south via Long Road;
 - Speaker stated that the current approved entrance and exit onto Chesterfield Airport Road is not signalized and St. Louis County Department of Highways and Traffic said it never will be;
 - Speaker stated that St. Louis County Department of Highways and Traffic would switch the access to Long Road with the approval of the City of Chesterfield;
 - Speaker stated that he sees the access onto Long Road being safer than the access onto Chesterfield Airport Road.

6. Ms. Julie Nolfo, Crawford, Bunte, Brammeier, 1830 Craig Park Court, Maryland Heights, MO 63146, traffic engineer and speaking neutral for **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreen's)**;
- Speaker stated that MoDot would not allow access to a private development off an off-ramp therefore they view Long Road as a road and not an off-ramp.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **Chesterfield Commons East**: a Record Plat for a 61.984 acre tract of land zoned "PC" Planned Commercial District, located south of Chesterfield Airport Road and east of Chesterfield Commons Drive.

Commissioner Wardlaw, on behalf of the Site Plan Committee, made a motion to approve the Record Plat for **Chesterfield Commons East**. The motion was seconded by Commissioner Hirsch and passes by a voice vote of 8 to 0.

- B. **Westfield Shoppingtown Chesterfield**: Site Circulation for an Amended Final Development Section Plan Phase III, for a regional shopping center in a "C-8" Planned Commercial District located south of Highway 40/Interstate 64..

Commissioner Wardlaw, on behalf of the Site Plan Committee, made a motion to approve the Site Circulation for the Amended Final Development Section Plan Phase III for **Westfield Shoppingtown Chesterfield**. The motion was seconded by Commissioner Banks and passes by a voice vote of 8 to 0.

VIII. OLD BUSINESS –

- A. **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)**: A request for a rezoning from "NU" Non-Urban District to "R-3" 10,000 square foot Residence District for 7.8 acre tract of land located on the north side of Olive Boulevard, east of Spyglass Summit Drive. (Locator Numbers 16R33-0453, 16R32-0232, 16R32-0195, 16R32-0130, 16R32-0938, 16R31-0837).

and

- B. **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**: a request for a Planned Environment Unit (PEU) Procedure in the “R-3” 10,000 square foot Residence District for a 7.8 acre tract of land located on the north side of Olive Boulevard, east of Spyglass Summit Drive. (Locator Numbers 16R33-0453, 16R32-0232, 16R32-0195, 16R32-0130, 16R32-0938, 16R31-0837).

Project Planner Christine Smith Ross gave an overview of **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**.

Commissioner Macaluso stated that Attachment A makes reference to the Tree Preservation Plan and Landscape Guidelines and these guidelines will need to be adhered to when the Site Development Plan is submitted for review.

Commissioner Hirsch made a motion to approve **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)**. The motion was seconded by Commissioner Layton.

Upon a roll call the vote was as follows: Commissioner Banks, yes; Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O’Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, yes; Chairman Sherman, yes.

The motion passes by a vote of 8 to 0.

Commissioner Hirsch made a motion to approve **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**. The motion was seconded by Commissioner Layton.

Upon a roll call the vote was as follows: Commissioner Hirsch, yes; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner O’Connor, yes; Commissioner Perantoni, yes; Commissioner Wardlaw, no; Commissioner Banks, yes; Chairman Sherman, yes.

The motion passes by a vote of 7 to 1.

- C. **P.Z. 37-2003 THF Chesterfield Commons Six**: a request for the following amendments to St. Louis County Ordinance 13, 933, governing a “C-8” Planned Commercial located on the north side of Chesterfield Airport Road, west of the intersection of Boone’s Crossing and Chesterfield Airport Road (17U520083):

To permit drive-through restaurants on the outparcels along Chesterfield Airport Road.
To allow a height of thirty-nine feet for light poles exclusive of the three-(3)-foot base of the pole.

Senior Planner Annissa McCaskill-Clay gave an overview of **P.Z. 37-2003 THF Chesterfield Commons Six** and asked the Commission if they had additional issues to be reviewed and addressed:

- The number of fast food restaurants that could go on the four (4) out-parcels of the proposed development;
- The number of fast food restaurants that are eligible to be there and what presently are there (from Long Road to Baxter Road) and also what is on the east side and what is on the west side.

Chairman Sherman stated that **P.Z. 37-2003 THF Chesterfield Commons Six** would be held until all issues are reviewed and addressed.

- D. **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreen's)**: a request for the following amendments to City of Chesterfield Ordinance 1595 for a 23.0 acre "PC" Planned Commercial District located at the northwest corner of of the intersection of Long Road and Chesterfield Airport Road (17U410027):

Attachment A, § II, Floor Area, Height and Building Requirements, A(5): East Retail may be separated into two lots with one building on each lot. East Retail buildings shall not exceed one (1) story and 21,900 square feet in gross floor area.

Attachment A, § II, Floor Area, Height and Building Requirements,(B): The development shall not exceed a maximum of seven (7) buildings.

Attachment A, § VII, Specific Criteria, C. Access (3): No direct access will be granted to Route 40/64 or Long Road except for one "right-in/right out" access point from Lot 4 to Long Road.

Senior Planner Annissa McCaskill-Clay gave an overview of **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreen's)** and asked the Commission if they had additional issues to be reviewed and addressed:

- Clarification from St. Louis County Department of Highways and Traffic regarding whether access off Long Road would service the entire development or just the proposed Walgreen's;

- Where the entrance road is that is off Chesterfield Airport Road (to the west of Walgreen's);
- Distance between Long Road Crossing Drive (the existing drive into the development) to where the possible signalized access will be (to the west) and how far to travel up to the signalized intersection to make a left hand turn and what the layout is for traffic that may flow in that direction.

Chairman Sherman stated that **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreen's)** would be held until all issues are reviewed and addressed.

IX. NEW BUSINESS –

X. COMMITTEE REPORTS:

- A. Committee of the Whole
- B. Ordinance Review Committee

Chairman Sherman stated that an Ordinance Review Committee meeting will be held on Thursday, March 25, 2004 at 3:00 p.m. at City Hall.

- C. Architectural Review Committee
- D. Landscape Committee
- E. Comprehensive Plan Committee
- F. Procedures and Planning Committee
- G. Landmarks Preservation Commission

Councilmember Barry Streeter stated that the Planning and Zoning Committee is holding **P.Z. 24-2003 THF Chesterfield Development LLC (The Commons)** because Lowe's is not in compliance with the current ordinance and will be held until an agreement is reached between the City and Lowe's.

Commissioner Macaluso stated that Lowe's is still parking their rental trucks in the parking lot.

Director of Planning Teresa Price stated that information will be put in the Commissioner's mailboxes concerning the St. Louis Area APA Planning Commissioner Workshop which will be held April 22, 2004.

Chairman Sherman asked Commissioners to inform Staff of any vacation times in which they will be absent from meetings.

The meeting unanimously adjourned at 8:42 p.m.

B. G. Wardlaw, Secretary

