

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MARCH 12, 2007**

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

I. PRESENT

ABSENT

Mr. David Asmus
Mr. David Banks
Mr. Fred Broemmer
Ms. Wendy Geckeler
Dr. Lynn O'Connor
Ms. Lu Perantoni
Mr. Gene Schenberg
Ms. Victoria Sherman
Chairman Maurice L. Hirsch, Jr.

Mayor John Nations
Councilmember Mary Brown, Council Liaison
City Attorney Rob Heggie
Mr. Michael Herring, City Administrator
Mr. Mike Geisel, Acting Director of Planning
Ms. Annissa McCaskill-Clay, Assistant Director of Planning
Ms. Aimee Nassif, Senior Planner
Ms. Jennifer Yackley, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner Geckeler

III. PLEDGE OF ALLEGIANCE – All

Chair Hirsch acknowledged the attendance of Mayor John Nations; Councilmember Mary Brown, Council Liaison; Councilmember Connie Fults, Ward IV; and City Administrator Mike Herring.

IV. PUBLIC HEARINGS – Commissioner Banks read the “Opening Comments” for the Public Hearings.

- A. **P.Z. 02-2007 The Estates at Upper Kehrs Mill (Micelli Construction):** A request for a change of zoning from “NU” Non-Urban to “E” One Acre District for a 10.2 acre tract of land located on the eastern side of Kehrs Mill Road, 4,100 feet south of its intersection with Wild Horse Creek Road. (19U530062, 19U530392)

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. McCaskill-Clay stated the following:

- The proposed site is comprised of two parcels with access from Kehrs Mill Road.
- The proposed site is adjacent to Country Place subdivision and across Kehrs Mill Road from Pacland Place subdivision.
- The Comprehensive Plan designation for the site is Single-Family with one acre density.
- Items Currently under Review by the City:
 - Storm Water/Drainage on the site
 - Erosion
 - Tree Preservation
 - The amount of grading that may be necessary to develop the site

PETITIONER'S PRESENTATION:

1. Mr. Ed Griesedieck, Attorney for the Petitioner, 505 North 6th Street, St. Louis, MO gave a PowerPoint Presentation and stated the following:
 - They are proposing to build an eight-lot, high-end custom-home development on 10.26 acres. The density is consistent with the Comprehensive Plan.
 - The site is well landscaped and well buffered.
 - The lot is immediately adjacent to the north, east, and south with the Country Place development, which was developed under St. Louis County as R1/PEU with a minimum lot size of 22,500 sq. ft. – 1/2 acre density lots.
 - The site is along Kehrs Mill Road.
 - To the north of the site, there is an NU parcel above Lot 1, which is a little over three acres in size. The site then runs along Country Place subdivision, which is zoned R1/PEU.
 - The site slopes up from Kehrs Mill Road then flattens out further along Kehrs Mill.
 - The proposed homes would be 4000-5000 sq. ft in size with a price range of \$1.2-1.5 million. The homes would have a minimum two-car garage, with the possibility of a three-car garage. The size and price compares well with other homes in the area.
 - Construction of the homes would be a combination of brick, stone, and siding depending upon the purchaser.
 - Lighting along the short cul-de-sac would be small, decorative high-end street lamps, which would be more for aesthetics than purpose.

- The plan shows 30% retention of the existing landscaping; they anticipate that they will be able to retain more than 30% as they move forward. They intend to maintain as many trees and natural landscaping as possible.
- They will also add landscaping to the site in the detention area. There is a 30-foot wide landscape buffer along Kehrs Mill Road.
- There is existing landscaping up in the northern portion along Kehrs Mill Road across from the entrance to Pacland Place, which they feel they will be able to retain.
- Under the E-One District, there is an 80-foot setback requirement from Kehrs Mill Road for any structures.
- In the southern portion of the site, there will be a dry detention area, which will pick up all the storm water from street inlets to be discharged off of the site as it presently discharges. They will comply with all the MSD standards, as well as the City's standards.
- They propose sidewalks on one side of the street, which will match up with the sidewalks that are along Kehrs Mill Road.
- They will ask for a small entrance monument at the entrance to the site.
- The street will be a public street – 26 feet wide within a 42-foot right-of-way and built to City standards.
- They feel the proposed plan is a great plan from one of the area's top builders. It is a low-density development consistent with the Comprehensive Plan. The plan promotes, and is consistent with, good design and the surrounding zoning. The topographic of the site is difficult and they have gone to great lengths to try to preserve the existing tree line.

Chair Hirsch stated that there are several NU properties to the north of the subject site. In addition, on the other side of Kehrs Mill Road north of Tuscany Reserve, there is another large NU parcel. The Commission and City Council have expressed concerns that any setbacks from Kehrs Mill Road, as well as lot sizes along Kehrs Mill Road, should be consistent with those required for Tuscany Reserve. He asked the Petitioner to respond to this type of argument.

Mr. Griesedieck stated that, as a developer, they looked at the City's Comprehensive Plan and its zoning. The City has in place the E-One Acre, which requires an 80-foot setback from Kehrs Mill Road. They have at least an 80-foot setback from Kehrs Mill Road. He noted that Tuscany Reserve has a portion of its property governed by indentures of a different subdivision, which required three-acre lots. They feel they should mimic the lots to which they are adjacent, which is half-acre density to the north, east, and west. He pointed out that Lots 1 and 8 are at least 80 feet from Kehrs Mill Road, and are a minimum of one acre. The topography of Tuscany is flat while the subject site has a steep topography, which allows for a different feel and a different buffer. He thinks the topography argues for a different type of setback on this side of Kehrs Mill Road than what is on the opposite site of Kehrs Mill.

Chair Hirsch noted that the Ordinance for Tuscany Reserve also required an 80-foot setback from Kehrs Mill but the setback is now more than 80 feet.

SPEAKERS IN FAVOR:

1. Mr. Gregory Calame, 1600 Kehrs Mill Road, Chesterfield MO stated the following:
 - He is the property owner of the subject site. His home currently sits where the proposed home on Lot 5 sits. His home is essentially in the middle of the site with trees completely around the outer edge of the property.
 - He feels that the topography of the site lends it to lots that have very good hilltop views.
 - He would like to see the property developed in a favorable fashion for the City and he feels he has picked one of the premier developers for the site. He feels the proposal will enhance the property values of the area around it.

SPEAKERS IN OPPOSITION:

1. Mr. Mark Steinbrecher, Country Place Subdivision, 17117 Chaise Ridge Road, Chesterfield, MO stated the following:
 - The majority of Country Place subdivision is one-acre plus even though it is zoned one-acre. There are very few lots in Country Place that are one-half acre.
 - He expressed concern about the density of the proposed development.
 - Country Place currently has two subdivision lakes. One lake is at the south end of Country Place, which is near the proposed detention pond on the subject site. The lakes are stocked and maintained by the subdivision. He expressed concern about the lakes filling up with mud from the proposed development. Any issues with the lake are the responsibility of the subdivision.
 - There are also several houses at the base of the hill in Country Place that will take a large amount of storm water, depending on the grading.
 - He asked that the Commission consider zoning the property to E-Two Acre as opposed to E-One Acre.

Responding to questions from the Commission, Mr. Steinbrecher stated the following:

- **Regarding the lakes in Country Place Subdivision:** One lake is spring-fed and one lake is run-off. The lake close to the north end of the subject development is crystal clear and never muddies.
- **Regarding the size of the lots specifically adjacent to the subject development:** Referring to the slide provided by the Petitioner, Mr. Steinbrecher noted the sizes of the lots adjacent to the development as: 30,000 sq. ft.; 26,000 sq. ft.; 28,000 sq. ft.; 43,000 sq. ft.; 63,000 sq. ft.; 65,000 sq. ft.; 27,000 sq. ft.; 34,000 sq. ft.; 1.2 acres; and 3.2 acres. He pointed out, however, that most of the lots in Country Place are one-acre plus in size.

- **Regarding the zoning of Country Place:** Country Place was zoned under St. Louis County.
2. Mr. Jim Schnurbusch, 1479 Carriage Crossing Lane, Chesterfield, MO stated the following:
- He opposes the subject petition at this time because he is not sure enough is known to understand it fully.
 - Speaker asked what the process and timeline are with respect to the evaluation of the run-off issues. Mr. Geisel replied that Staff has noted that run-off/erosion issues need to be evaluated. Tonight's Public Hearing will determine what the issues are for the site and what issues may impact the site. These issues will then be addressed by the Developer. As part of the engineering of the site, they will be evaluated and reviewed in accordance with current City standards. There is not an active analysis going on at this point because plans have not yet been submitted. At this time, Staff is attempting to identify those concerns and will then develop comments that would address those concerns. Chair Hirsch pointed out that if there are specific concerns on the part of the Commission or Staff, they would be made a part of the Attachment A for this project. The next time this petition is on the agenda, Staff will discuss issues with the Commission. The public is welcome to address the Commission at that meeting regarding any concerns. If the rezoning is approved, full engineering would take place at the Site Plan stage to make sure it conforms with all City standards, as well as the site-specific ordinance for the property.
 - Speaker noted that on the other side of Kehrs Mill Road, a decision was made to require two-acre size lots. He asked if the buffer area is the same for that side of Kehrs Mill as what is being proposed for the subject development. Chair Hirsch replied that specific buffers were put in for Tuscany Reserve, which was a result of the Planning Commission and City Council. This is an issue that will be explored for this development also.
3. Mr. Mark Becker, 1419 Carriage Crossing, Chesterfield, MO stated the following:
- His property is adjacent to Lot 2 of the subject development.
 - Water that comes down from his lot, along with water coming from Lots 1, 2, and 3, will flow directly into the spring-fed pond. He expressed concern that when it rains hard, the pond will pick up all of the debris and mud and flow into the pond.
 - He asked the Commission to require that more trees be left on the hillside than are now being proposed – specifically, behind Lots 2 and 3.

SPEAKERS – NEUTRAL:

1. Mr. Bill Quinn, 1427 Carriage Crossing, Chesterfield, MO stated the following:
 - His property is directly across from the present owner's house on the extreme part of Lot 3. His lot is one acre in size.
 - His house sits on the other side of the cul-de-sac and is 30 feet in lower elevation than the owner's house. That height is achieved over a distance of about 40 yards, which makes for an extremely steep slope. The hillside, which is extensive, is anchored by trees – some of which he thinks are about 100 years old. He feels that the hillside is susceptible to erosion.
 - Speaker proposed that the City require from the Developer a Letter of Credit in the amount of \$2 million, strictly for erosion, above and beyond any other bonds or letters of credit required for development.
 - He feels that such a Letter of Credit would accomplish the following:
 - It would be an incentive to the builder/developer to make sure that the work is done correctly to prevent any erosion problems.
 - It would preclude the individual homeowners from having to file a lawsuit against the builder/developer, or perhaps a shell corporation with no assets, because the City will have the \$2 million.
 - It would insure that the bulldozer operator knows what is expected of him, and what the responsibilities and liabilities are.

REBUTTAL:

1. Mr. Griesedieck stated the following:
 - There are eight lots proposed for the development; every lot is one acre or larger except for Lots 2 and 3. The two lots adjacent to them are approximately 29,000 sq. ft. and 30,000 sq. ft. respectively. All of the proposed lots are larger than the lots that are adjacent to them.
 - Regarding landscaping and erosion concerns, it is anticipated that additional landscaping can be saved behinds Lots 1, 2, and 3. A minimum has been shown on the plan because they did not want to make any misrepresentations.
 - The proposed street roughly mirrors the existing drive to the existing home. They will maintain as many of the trees in this area as possible. Significant grading is not being done in this area because of the existing drive.
 - It is anticipated that the storm water will be piped into the storm water system that presently exists. To the extent that it kicks off into the smaller pond, it is anticipated that this will continue also. MSD has substantially increased its standards, and Chesterfield has one of the most stringent siltation control standards of any city in which they are involved. They expect that the siltation from the development will be minimal, if at all. They will fully comply with all the City's standards, as well as the MSD standards.

- They feel the proposed development is a very low-density project and is a high-quality development by a high-quality developer. The home prices compare very well with the area.

Responding to questions from the Commission, Mr. Griesedieck stated the following:

- **Regarding the detention pond:** It will be a dry detention area and landscaped along Kehrs Mill Road. They would like to keep the landscaping as natural as possible – depending on the City's requirements.
- **Regarding drainage:** The run-off will be piped, as it presently goes, to the detention pond. Mr. Geisel stated that the rough grading plan that has been provided to the City shows that the drainage from the middle of Lots 1, 2, and 3 all flow to the south. Everything north of there would sheet-flow towards the north.
- **Regarding the removal of woodlands from Lots 3 and 4 and possibly causing erosion:** It is anticipated that additional trees will be saved in this area. If trees are not able to be saved, they would suggest the construction of field inlets and pipe the water away to avoid any erosion issues.
- **Regarding how the City can prevent future homeowners from removing trees or changing the topography, which would increase erosion:** Mr. Geisel replied that the Tree Manual no longer applies once the lot is developed. The site could be protected by the establishment of a protection zone. He noted, however, that soil loss from a heavily-wooded area can actually be greater than that from a grassed area – it is difficult to get heavy grasses to grow in the woods. Mr. Broemmer suggested that the field inlets be required to prevent erosion issues.

ISSUES:

1. Retention of the trees, particularly in the northeastern and northwestern portions of the site, with respect to erosion concerns.
2. Storm water on the site, particularly where the water will go and how it will be handled.
3. Steepness of the grades in the development.
4. The impact of the proposed development on the existing lakes in the Country Place Subdivision, as well as the maintenance of the site after development with respect to lakes. Will the proposed development have any portion of responsibility in the event of any damage to the lakes?
5. Consider whether E-Two zoning is appropriate for the site vs. E-One zoning.
6. Lot sizes proposed for the development.
7. Possible erosion of the site.
8. Possible Letter of Credit in the amount of \$2 million, above and beyond any sureties or bonds currently required by the City.
9. Should field inlets be placed on the site immediately, or placed at the direction of the City at some future time?

10. Setbacks from Kehrs Mill Road that may reflect the same kind of feel that was put in at Tuscany Reserve.
11. Provide the setback requirements for Tuscany Reserve.
12. Regarding the properties on Pacland Place, how far are the houses from Kehrs Mill Road?
13. Regarding run-off from the cul-de-sac and Lot 3, could the cul-de-sac be brought a little further to the south? It was noted that this would reduce the size of Lot 5 and possibly save more trees right beyond the cul-de-sac on the northeast side.
14. Twenty-foot side yard setbacks on the northeast corner where it is contiguous to Country Place.

Commissioner Asmus asked if there is any background with the City in some analogous residential developments requiring a Letter of Credit of \$2 million so that the burden is placed on the Developer, and not the residents or the City. City Attorney Heggie replied that the City has reviewed the issue in other areas. It does present some problems in terms of the City's position in the event the City were to collect on such a Letter of Credit and then do the work in a private subdivision. Spending public monies on private subdivisions could be a problem for the City. The City is very committed to siltation control. The City will review the grades to determine what kind of bond needs to be put in place to (1) insure that there is not a problem to begin with; and (2) to insure there is an avenue of redress for the residents in the event there is a future problem wherein the lake would need repair.

- B. P.Z. 08-2007 Chesterfield Valley Power Sports (17501 N. Outer 40 Road):** A request for an amendment to City of Chesterfield Ordinance 1372 to allow for a two-story building in this "C-8" Planned Commercial District.

Ms. Aimee Nassif, Senior Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Nassif stated the following:

- The current language in the Ordinance states that "No building shall exceed one (1) story in height".
- The proposed language for the Ordinance would state: "No building shall exceed two (2) stories in height".
- Staff is waiting for Agency Comments to complete the Attachment A.
- The Comprehensive Plan designates the subject site as "Mixed Commercial" use.

PETITIONER'S PRESENTATION:

1. Mr. John Williams, 17501 North Outer 40 Road, Chesterfield, MO stated the following:
 - He is one of the owners of Chesterfield Valley Power Sports.

- They are presently restricted to a one-story building and they are asking that they be allowed to build a second-story warehouse in the back where the existing outdoor storage area is.
- They would also like to expand the existing showroom to the west.
- They also request an Ordinance amendment which would allow them to display items out in front of their dealership. They noted that the nearby Hummer dealership is permitted to display items out in front of their building on pedestals allowed by the City. They feel they should have the same opportunity to display vehicles on their front sidewalk. The sidewalk is 10' wide by 7' long. They would like to display 5-6 vehicles per day in this area.

Responding to questions from the Commission, Mr. Williams stated the following:

- **Regarding how the requested addition would affect the circulation of delivery trucks:** The addition would lessen the current problem. They intend to have a loading dock in the back that would allow the trucks to pull in forward, back in, and unload them. They will alleviate the existing congestion problem by expanding the parking lot to the north and build a warehouse where the current outdoor storage is. There will be an additional new outdoor storage area to the north of the warehouse. They feel that the requested addition will clean up the site and make it more presentable.
- **Regarding the display area:** They do not intend to build any display pedestals. They would like to display the vehicles on the existing sidewalk. The sidewalk is 10' wide and parallels the windows in the front of the building. From time to time, they currently use the sidewalk for display purposes.
- **Regarding the existing sidewalk for display vs. pedestrian traffic:** They would not object to the City specifying the number of vehicles that would be allowed to be displayed on the sidewalk area. They hope to display two motorcycles, two AVs, and possibly a personal watercraft. The ten-foot sidewalk would be adequate for such a display, along with allowing pedestrians to walk past the vehicles. Originally, the sidewalk was put in for display purposes, which is why it is 10 feet wide. It was not designed for pedestrian traffic.
- **Regarding parking expansion in the back of the site on the north side:** The parking expansion would go from the existing parking lot almost to the levee.
- **Regarding the required open space for the site:** Ms. Nassif stated that the Petitioner still meets the open space requirements with the requested additions and parking expansion. The Petitioner would also still meet the parking setbacks.
- **Regarding the two-story addition:** The requested addition would be for the warehouse and the west addition. The warehouse addition would be where the existing outdoor storage area is. To the west, they would like to expand their showroom approximately 3700 sq. ft. To the north, they

would increase the height of the existing building from 18 ft. to 22.8 ft. to allow the stacking of crates four-high. The west addition will be two stories of showroom to a height of 30 feet.

Commissioner Banks expressed concern about setting a precedent in allowing sidewalks to be used for display purposes. He questioned whether the Commission approved the sidewalk for display purposes or for pedestrian traffic.

Commissioner Broemmer noted that access to the building is from the north side – not from the highway side. Because of the access to the building, it is his feeling that the 10' sidewalk was never meant for a walkway but intended for displays.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Review amending the language to permit outdoor storage or display. Ms. Nassif stated that the Ordinance currently states that “All outdoor storage or display of equipment will be located at the rear, or side, of buildings as approved by the Planning Commission on the Site Development Plan”. The language also includes screening requirements.
2. Use of the sidewalk as a display area.
3. Open space requirement. Ms. Nassif stated that the Site Plan, with the new amount of parking and building expansion, still shows over 40% open space vs. a 30% requirement. All parking and structure setbacks still meet all requirements.
4. Limit the number of vehicles for outdoor display on the south side to five or six.
5. Revise the language to use ordinal directions as opposed to “front“, “rear” and “side” of building.
6. Address pedestrian circulation in an east/west direction parallel to the North Outer Road.
7. How many vehicles are displayed at the Hummer dealership? Is there any design criteria that can be used for aesthetic purposes in comparing the Hummer facility to the subject facility?
8. Review access to the site, specifically around to the north side of the building. How do the semi -trucks enter the site? Show the location of the dock. Address the existing traffic flow problem with respect to the delivery trucks.

Commissioner Banks read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the minutes of the **February 26, 2007 Planning Commission Meeting**. The motion was seconded by Commissioner Perantoni and **passed by a voice vote of 8 to 0 with 1 abstention**. (Commissioner Asmus abstained from the vote as he was absent from the February 26th meeting.)

VI. PUBLIC COMMENT

RE: Sentrus Place

Petitioner:

1. Mr. Mike Doster, 17107 Chesterfield Airport Road, Chesterfield, MO stated he was available for questions.
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RE: P.Z. 6-2007 Delmar Gardens Enterprises (Ordinance Amendment)

Petitioner:

1. Mr. John King, 168 North Meramec, Clayton, MO stated he was available for questions.
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RE; P.Z. 4-2007 Butler Investment Partnership, LP (Saturn of West County)

Petitioner:

1. Mr. Chris Kehr, Butler Investment, 11141 Clayton Road, St. Louis, MO stated he was available for questions.
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VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. **1715 Heathercroft Drive**: Addition to the rear of an existing home zoned "R-2" Residential "PEU" located at 1715 Heathercroft Drive in the Highcroft Estates Subdivision.

Commissioner O'Connor, representing the **Site Plan Committee**, made a motion to approve the **House Addition**. The motion was seconded by Commissioner Sherman and **passed by a voice vote of 9 to 0**.

- B. **Sentrus Place - Site Development Concept Plan**: Site Development Concept Plan and Conceptual Landscape Plan for a "PI" Planned

Industrial District located north of Chesterfield Airport Road across from the intersection with Cepi Drive.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Site Development Concept Plan and Conceptual Landscape Plan with the modification that the labels stating “three-story building” be removed from the mylar. The motion was seconded by **Commissioner Schenberg** and **passed** by a voice vote of 9 to 0.

- C. **Sentrus Office Building (Sentrus Place Lot 4) - Site Development Section Plan**: Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations for an office building/research facility in a "PI" Planned Industrial District located in the northeast corner of the Sentrus Place development, north of Chesterfield Airport Road across from the intersection with Cepi Drive.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Site Development Section Plan, Landscape Plan, Lighting Plan, and Architectural Elevations. The motion was seconded by **Commissioner Broemmer** and **passed** by a voice vote of 9 to 0.

VIII. OLD BUSINESS

- A. **P.Z. 4-2007 Butler Investment Partnership, LP (Saturn of West County)**: A request for an amendment to City of Chesterfield Ordinance 2099 to allow for one additional permitted use for a 15.01 acre “PC” Planned Commercial District located north of Chesterfield Airport Road and west of Long Road at 91 Long Road, 706 Long Road, 707 Long Road and 750 Long Road.

Ms. Jennifer Yackley, Project Planner, stated that there are not open issues from the Public Hearing. The Petitioner is requesting one additional permitted use.

Ms. Yackley noted that a question arose during the earlier Work Session regarding the original Traffic Study for Long Road Crossing subdivision. Staff's research has found that there was only one Traffic Study done in 2004 in relation to Walgreen's. This particular Traffic Study only addressed the intersection of Chesterfield Airport Road and Long Road, as well as Chesterfield Airport Road and Chesterfield Business Parkway. It did not take into consideration the conceptual uses for Long Road Crossing of the hotel or anything other than the Walgreen's. The conclusion of that report, based on the Walgreen's, was that there would be limited impact to Chesterfield Airport Road.

Commission O'Connor stated that it was her recollection that the Traffic Report predicted that the traffic in the future would be going to a Level D or Level F at the intersection. Ms. Yackley replied that the Study showed that at one peak time during the day the traffic level would increase; but overall, the traffic levels would not be impacted very much.

Mr. Geisel stated that the Level D or F cited by Commissioner O'Connor refers to the eastbound movement on Chesterfield Airport Road at the intersection, which fails at this point today. The change of use being requested is from an 80,000 sq. ft. hotel to a 19,000 sq. ft. showroom/sales facility for vehicles. The actual traffic generation for these two uses is less for the car dealership. The traffic for the car dealership also occurs during non-peak intervals. The use change will require a larger turning radii and flatter roads to accommodate the over-the-road vehicles. The site will need to be designed to insure that the vehicles can turn into the site without going over the top of the curb, or without having to park alongside the road to load and unload. The City needs to diligently review the Site Plan to make sure the entry geometrics work so that the trucks can enter the site. Staff will insure that a note is put on the Plan stating that loading and unloading must occur on-site and not on the public roadway.

Chair Hirsch referred to uses 1.gg. and 3.b. of the Attachment A with respect to the outdoor storage of wrecked or damaged vehicles. It was noted that Section 3.b. of the Attachment A excludes the outdoor storage of wrecked or otherwise damaged and immobilized automotive vehicles.

Commissioner Broemmer asked if a required turning radius on the entrance geometrics into the site is noted in the Attachment A. Mr. Geisel replied that the entrance geometrics will be covered when the Site Plan is submitted. The roadway geometrics have already been established on the Site Development Plan and the roads are in place.

Commissioner Perantoni asked if the original plan submitted to the Commission had the same proportion of parking spaces. Ms. Yackley indicated that the same proportion of parking spaces was submitted.

Commissioner Broemmer made a motion to approve P.Z. 4-2007 Butler Investment Partnership, LP (Saturn of West County). The motion was seconded by Commissioner Schenberg.

Commissioner Geckeler made a motion to amend the motion by amending Section I.E.3 of the Attachment A with respect to "Landscape and Tree Requirements" as follows:

~~All new required landscaping materials shall meet the following criteria:~~

- ~~a. Deciduous trees two (2) inch minimum caliper.~~
- ~~b. Evergreen trees four (4) feet minimum height.~~
- ~~c. Shrubs eighteen (18) inch minimum diameter.~~

Commissioners Broemmer and Schenberg agreed to the amendment to the motion.

Commissioner Asmus expressed concern that, along with the rezoning, the Commission would be approving site-specific items previously presented by the Petitioner – such as the type of business, the ownership, and how the building would appear. He feels that the process may be more conclusory than which he is comfortable to agreeing to at this time.

Chair Hirsch acknowledged Commissioner Asmus' concerns and pointed out that the Petitioner, during the Public Hearing, had indicated that the photographs shown at that time were an example of the type of prototype building that Saturn is considering. He felt that the Petitioner had responded favorably to the Commission's comments regarding the kind of building materials to be used and regarding screening of the ingress/egress from the service bay area. He noted that the Commission will have the opportunity to review elevations at the Site Plan stage and to review how vehicles will be displayed.

Commissioner Banks asked if the number of parking spaces is noted in the Attachment A. Ms. Yackley stated that the number of parking spaces is noted on the plan showing 311 parking stalls. It was pointed out that the number of parking spaces is not being approved at this time with the rezoning request. This would be reviewed at the Site Development stage.

Commissioner Banks expressed concern that the parking lot for the dealership could be turned into a storage lot. He would like the Attachment A to limit the parking of vehicles to the number of parking spaces authorized.

Commissioner Banks made a motion to amend the motion by amending Section I.A.1.gg. of the Attachment A regarding "Permitted Uses" as follows:

Sale, rental, and leasing of new and used vehicles, including automobiles, and trucks as well as associated repairs and necessary outdoor storage of said vehicles. **Outdoor storage of the vehicles shall be confined to parking stalls as indicated on the approved Site Plan.**

Commissioners Broemmer and Schenberg agreed to the amendment to the motion.

Commissioner Sherman asked if the 311 proposed parking spaces is based on any City criteria. Ms. Yackley replied that the City has criteria requiring 3-1/3 parking spaces for every 1,000 sq. ft. of building area, plus 3 spaces for every service bay and 71 spaces for their customers. They currently show 94 spaces for their customers with the remaining spaces for display, which is well within the requirements.

Commissioner Broemmer expressed concern that there is more parking than is required and felt this could be used for extra storage. He suggested limiting the number of parking spaces so that not so many vehicles could be stored on the site. It was suggested that parking be reviewed at the Site Plan stage; it was clarified that the number of parking spaces is not being approved with the rezoning.

Upon roll call, the vote to approve, with two amendments to the Attachment A, was as follows:

**Aye: Commissioner Geckeler, Commissioner O'Connor,
Commissioner Schenberg, Commissioner Sherman,
Commissioner Banks, Commissioner Broemmer,
Chairman Hirsch**

Nay: Commissioner Perantoni, Commissioner Asmus

The motion passed by a vote of 7 to 2.

B. P.Z. 6-2007 Delmar Gardens Enterprises (Ordinance Amendment): A request for an amendment to City of Chesterfield Ordinance 2129 to change the building setbacks, parking structure setbacks, parking and loading space setbacks for a 8.477 acre "PC" Planned Commercial District located near the intersection of North Outer Forty and Conway Road at 14805 North Outer Forty Drive.

Ms. Jennifer Yackley, Project Planner, stated that no issues were raised during the Public Hearing. The Petitioner is requesting a change in its setback requirements because they would like to split the lot from north to south. The change would insure that they have a legal-conforming building after the lot has been split.

Commissioner Sherman made a motion to approve P.Z. 6-2007 Delmar Gardens Enterprises (Ordinance Amendment. The motion was seconded by Commissioner Asmus.

Upon roll call, the vote was as follows:

**Aye: Commissioner O'Connor, Commissioner Perantoni,
Commissioner Schenberg, Commissioner Sherman,
Commissioner Asmus, Commissioner Banks,
Commissioner Broemmer, Commissioner Geckeler,
Chairman Hirsch**

Nay: None

The motion passed by a vote of 9 to 0.

IX. NEW BUSINESS

Councilmember Mary Brown noted that she is not re-running for City Council and stated that this would be her last Planning Commission Meeting. She stated that she enjoyed her year serving as liaison to the Planning Commission and commended the Commissioners on the work they do.

Chair Hirsch thanked Councilmember Brown for her years of service to the City and for her support to the Commission.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:52 p.m.

David Banks, Secretary