

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
March 11, 2002

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

I. PRESENT

ABSENT

Mr. Fred Broemmer
Mr. Mike Kodner
Mr. Dan Layton, Jr.
Ms. Stephanie Macaluso
Ms. Rachel Nolen
Mr. Jerry Right
Ms. Victoria Sherman
Mr. B. G. Wardlaw
Chairman David Banks
Mr. Doug Beach, City Attorney
Mayor John Nations
Mr. Dan Hurt, Council Liaison
Ms. Teresa Price, Director of Planning
Ms. Barbara Weigel, Senior Planner
Mr. David Bookless, Project Planner
Mr. Paul DeLuca, Project Planner
Mr. Mike Hurlbert, Project Planner
Ms. Annissa McCaskill, Project Planner
Mr. John Wagner, Project Planner
Ms. Kathy Lone, Planning Assistant

II. INVOCATION: Commissioner Right

III. PLEDGE OF ALLEGIANCE: All

Chairman Banks recognized the attendance of Mayor John Nations, Councilmember Bruce Geiger (Ward II) and Council Liaison Dan Hurt (Ward III).

IV. PUBLIC HEARINGS:

Chairman Banks stated that P.Z. 3-2002 City of Chesterfield, P.Z. 4-2002 City of Chesterfield and P.Z. 5-2002 City of Chesterfield would be presented together.

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

A. P.Z. 3-2002 City of Chesterfield: a request to amend Paragraph 10, Section 1003.167 Miscellaneous Regulations of the City of Chesterfield Zoning Ordinance to read as follows (additional language in bold):

10. Issuance of grading, building, etc. permits in certain districts. No permits shall be issued for clearing, grubbing, grading, building, or use of a site governed by a Planned District, Senior Residence District, Mixed Use District or Special Procedure which are not in accord with site development plans, site development concept plans, or site development section plans approved by the Planning Commission or Department of Planning, with the following exception: Grading Permits may be issued for developments within the Chesterfield Valley so long as the permit is strictly for the purpose of either stockpiling or the surcharging of a future building pad. Site Development Plan submittal shall include a Tree Preservation Plan and Grading Plan.

B. P.Z. 4-2002 City of Chesterfield: a request to amend Paragraph 16, Section 1003.167 Miscellaneous Regulations of the City of Chesterfield Zoning Ordinance to authorize the Chief of Police to issue permits for amusement devices and activities

C. P.Z. 5-2002 City of Chesterfield: a request to amend the City of Chesterfield Zoning Ordinance to include the following:

1003.190 Landmarks Preservation Commission (LPC)

To preserve and protect the character of the City of Chesterfield, the Planning Commission shall utilize the Landmarks Preservation Commission to review projects of historical significance and provide recommendations during the preliminary plan, site development plan and site plan process.

Project Planner Annissa McCaskill gave an overview of these petitions. Ms. McCaskill stated that P.Z. 3-2002 City of Chesterfield amends Paragraph 10, Section 1003.167 Miscellaneous Regulations of the City of Chesterfield Zoning Ordinance, with the issuance of grading, building, etc. permits in certain districts and would allow for an exception to stockpiling or the surcharging of a future building pad in the Chesterfield Valley.

Ms. McCaskill stated that P.Z. 4-2002 City of Chesterfield would amend Paragraph 26, Section 1003.167 Miscellaneous Regulations of the City of Chesterfield Zoning Ordinance to allow the Chief of Police to issue Special Permits instead of the Director of Public Works.

Ms. McCaskill stated that P.Z. 5-2002 City of Chesterfield would amend the City of Chesterfield Zoning Ordinance to include '1003.190 Landmarks Preservation Commission (LPC).

SPEAKERS IN FAVOR – None

SPEAKERS IN OPPOSITION – None

SPEAKERS – NEUTRAL –

1. Mr. Jim Jacobi, Sachs Properties, 400 Chesterfield Center, Chesterfield, MO 63017, speaking neutral to P.Z. 3-2002 City of Chesterfield;

· Speaker expressed concern with limiting P.Z. 3-2002 City of Chesterfield to just the Chesterfield Valley.

Ms. McCaskill stated that the issue of limiting P.Z. 3-2002 City of Chesterfield to just Chesterfield Valley would be reviewed and addressed.

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

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the February 25, 2002 Meeting Minutes. The motion was seconded by Commissioner Right and passes by a voice vote of 9 to 0.

VI. PUBLIC COMMENT -

1. Mr. Rick Clawson, ACI/Boland, Inc., 11746 Olde Cabin Road, St. Louis, MO 63141, speaking in favor of P.Z. 38-2001 Davis Street Land Company, L.L.C.;

· Speaker stated that he was present to answer questions.

2. Ms. Julie Nolfo, Crawford Bunte Brammeier, 1830 Craig Park Court, St. Louis, MO 63146, traffic engineer and speaking neutral for P.Z. 38-2001 Davis Street Land Company, L.L.C.;

· Speaker stated that the impact at the intersection of Clarkson Road and Lea Oaks with respect to the proposed commercial development, in particular with respect to the location of the Outer Road and focusing on the weekday afternoon peak period from 4:00 to 6:00 p.m. (the most critical time period with respect to traffic along Clarkson Road) operates at a level of service ‘F.’ Speaker stated that the traffic study was only for the 20,000 square-foot proposed development and not the 80,000 square-foot existing development.

3. Ms. Joy McMillen, 16476 Chesterfield Airport Road, Chesterfield, MO 63017, attorney for and speaking in favor of P.Z. 38-2001 Davis Street Land Company, L.L.C.;

- Speaker stated that the petitioner agrees to realigning the access.

4. Mr. David Volz, Volz Engineering, 10849 Indian Head Industrial Boulevard, St. Louis, MO 63132, engineer and speaking in favor of P.Z. 30-2001 Westchester;

- Speaker stated that the road was placed in the middle of the site given the unique topography and the shape of the site;

- Speaker stated that the only way to achieve lots that are one (1) acre would be to have lots with the dimension of 270 feet wide by 160 feet deep which would not be marketable or practical.

5. Mr. Rob Epstein, Gallop, Johnson & Neuman, L.C., 101 South Hanley, St. Louis, MO 63105, attorney for and speaking in favor of P.Z. 30-2001 Westchester;

- Speaker presented a hand-out to the Planning Commission explaining the rezoning of this petition.

6. Mr. Doug Elliott, 1410 Chesterfield Estates Drive, Chesterfield, MO 63005, Trustee of Chesterfield Estates Subdivision, speaking in opposition to P.Z. 30-2001 Westchester;

- Speaker stated that the West Area Study stated that one (1) acre lots are appropriate along this portion of Wild Horse Creek Road.

7. Mr. John Neichter, 2210 Whitney Pointe Drive, Chesterfield, MO 63005, speaking in favor of Long Road Plaza – Ordinance Amendment;

- Speaker stated that he had signed a lease contingent on approval of these plans and that the building permit plans were approved on August 22, 2001.

8. Mr. Gordon Crespo, DH Architects, 2 Midcrest Way, San Francisco, CA, architect and speaking in favor of Elbridge Payne Office Park (P.F. Chang's China Bistro);

- Speaker stated that he will give a power point presentation during the Site Plans, Building Elevations and Signs portion of the meeting.

9. Ms. Kathy Higgins, Sachs Properties, 400 Chesterfield Center, Chesterfield, MO 63017, petitioner and speaking in favor of Elbridge Payne Office Park (P.F. Chang's China Bistro);

- Speaker gave a history of the P.F. Chang's China Bistro development.
10. Mr. Jim Jacobi, Sachs Properties, 400 Chesterfield Center, Chesterfield, MO 63017, speaking in favor of Elbridge Payne Office Park (P.F. Chang's China Bistro);
- Speaker stated that he was present to answer questions.
11. Mr. Carl Lueker, #25 Bluff Spring Court, St. Charles, MO 63303, speaking in favor Elbridge Payne Office Park (P.F. Chang's China Bistro);
- Speaker stated that he was present to answer engineering questions;
 - Speaker stated that the amount of green space shown on the Site Development Concept Plan and the Site Development Section Plan is approximately 19.5%.
12. Mr. Thomas Schulze, 15631 Hedgeford Court, Chesterfield, MO 63017, speaking in opposition to Elbridge Payne Office Park (P.F. Chang's China Bistro);
- Speaker stated that he does not want any type of restaurant in his backyard because there would be too many problems;
 - Speaker asked the Planning Commission to deny this Site Development Concept Plan and Site Development Section Plan.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

Site Plan Committee Chairman Macaluso stated that the order of the agenda would be changed for this section.

A. River Crossing- A record plat containing 15.84 acres in the "PC" Planned Commercial District located 2000 feet west of the intersection of Boones Crossing and Chesterfield Airport Road.

Commissioner Macaluso, on behalf of the Site Plan Committee, recommends approval of the Record Plat for River Crossing. The motion was seconded by Commissioner Layton and passes by a voice vote of 9 to 0.

B. Fab Lab, Inc. (Spirit Trade Center, Lot 28): Site Development Section Plan, Architectural Elevations, and Landscape Plan for a new office/warehouse/manufacturing building on a 3.36 acre tract of land, zoned "M-3" Planned Industrial District located on the southwest corner of Trade Center Boulevard and Edison Avenue.

Commissioner Macaluso, on behalf of the Site Plan Committee, recommends approval of the Site Development Section Plan, Architectural Elevations and Landscape Plan for Fab Lab, Inc. (Spirit Trade Center, Lot 28). The motion was seconded by Commissioner Kodner and passes by a voice vote of 9 to 0.

Chairman Banks stated that Elbridge Payne Office Park and Elbridge Payne Office Park (P.F. Chang's China Bistro) would be reviewed during this portion of the meeting.

C. Elbridge Payne Office Park: A Revised Site Development Concept Plan for a 5.352 acre "C-8" Planned Commercial District located at the northeast corner of Clarkson Road and Chesterfield Parkway East.

AND

D. Elbridge Payne Office Park (P.F. Chang's China Bistro): A Revised Site Development Section Plan, Landscape Plan, Sign and Architectural Elevations for a restaurant on a 5.352 acre "C-8" Planned Commercial District, located at the northeast corner of Clarkson Road and Chesterfield Parkway East.

Mr. Gordon Crespo, architect for Elbridge Payne Office Park (P.F. Chang's China Bistro), gave a power point presentation describing the elevations, lighting, landscaping and signage.

General discussion followed concerning signage.

Mr. Crespo stated that a stone wall, intended to block the headlights of the cars, would have a restaurant identification sign with back lit and individual channel letters. This sign on the wall would replace the monument sign shown on the plan.

Mr. Crespo stated that the roof ladders, which are required code access to the roof, are on the back of the building and not very prominent. Mr. Crespo stated that an internal ladder could be installed instead.

Mr. Crespo stated that the trash enclosure would match the building elevations.

Mr. Crespo stated that the lighting of the building is handled primarily to accentuate the architectural finishes and restricted beam parking lot lighting. Mr. Crespo stated that Brandywine residents would not be able to look down on the roof of the restaurant and see the mechanical equipment.

Mr. Lueker stated that this ordinance was approved before the ordinance on green space. Mr. Lueker stated that the green space on this site is approximately 19%. Mr. Lueker stated that the turn around in the parking lot is for valet parking.

Commissioner Sherman expressed concern with the curb cuts on the Parkway and the amount of movement between the medians and traffic lights. Ms. Sherman expressed concern that the County Highway Department did not place restrictions on some of the turns.

Mr. Lueker stated that the traffic light actually helps the situation by giving a break in the traffic to make left turns.

Ms. Price stated that the Department of Planning raised the same questions and discussed this with the Department of Public Works. They stated that these are existing curb cuts. Ms. Price stated that Staff could have the Department of Public Works review this and respond.

Ms. Higgins presented the plan that was approved in 1993 and the current plan. Ms. Higgins stated that the 1993 plan allowed for a total of 15,000 square feet for restaurants, 5,500 square feet for Applebee's and a future restaurant.

Mr. Louis Sachs asked the Planning Commission not to reduce in square footage what the governing ordinance allows.

Commissioner Kodner made a motion to approve the Revised Site Development Concept Plan for Elbridge Payne Office Park. The motion was seconded by Commissioner Right.

Commissioner Nolen offered an amendment to the motion that the Department of Public Works for review whether there should be a restriction on the curb cuts along the Parkway. This review would come back to the Planning Commission. Commissioner Kodner would not accept this amendment. The amendment to the motion was seconded by Commissioner Sherman.

Upon a roll call the vote on the amendment was as follows: Commissioner Broemmer, yes; Commissioner Kodner, no; Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, no; Commissioner Sherman, yes; Commissioner Wardlaw, yes; Chairman Banks, no.

The amendment to the motion was approved by a vote of 6 to 3.

The amended motion was voted on and was approved by a voice vote of 9 to 0.

Commissioner Kodner made a motion to approve the Revised Site Development Section Plan, Landscape Plan, Sign and Architectural Elevations for Elbridge Payne Office Park (P.F. Chang's China Bistro). The motion was seconded by Commissioner Right.

Commissioner Nolen offered an amendment to the motion to include the following: There will be an internal ladder to the roof, the dumpster materials will match the building, the sign will be located on the stone wall with illuminated letters which will be considered the monument sign and the parking lot lighting will be lowered. Commissioner Kodner and Commissioner Right accepted the amendment to their motion.

General discussion followed concerning clarification of the number and location of signs. It was decided that the information sign at the curb cut on the Parkway would be omitted and the monument sign (on the stone wall) and the current sign by the 1415 Elbridge Payne building would be kept.

Upon a roll call the vote was as follows: Commissioner Kodner, yes; Commissioner Layton, no; Commissioner Macaluso, no; Commissioner Nolen, no; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Wardlaw, yes; Commissioner Broemmer, yes; Chairman Banks, yes.

The amended motion was approved by a vote of 6 to 3.

Chairman Banks called a recess at 9:04 p.m. and the meeting reconvened at 9:11 p.m.

Commissioner Broemmer had left the meeting.

VIII. OLD BUSINESS –

A. Long Road Plaza – Ordinance Amendment; an amendment to City of Chesterfield Ordinance Number 1417 governing Long Road Plaza, a “C-8” Planned Commercial District located on the west side of Long Road, south of Chesterfield Airport Road. (P.Z. 1-1990)

Project Planner John Wagner gave an overview of the ordinance amendment for Long Road Plaza.

Commissioner Nolen made a motion to approve the ordinance amendment for Long Road Plaza. The motion was approved by Commissioner Kodner.

Upon a roll call the vote was as follows: Commissioner Layton, yes; Commissioner Macaluso, yes; Commissioner Nolen, yes; Commissioner Right, yes; Commissioner Sherman, yes; Commissioner Wardlaw, no; Commissioner Broemmer, absent; Commissioner Kodner, yes; Chairman Banks, yes.

The motion was approved by a vote of 7 to 1.

Commissioner Layton asked Staff to review the ordinance for this site regarding a requirement to have the dumpsters shielded.

B. P.Z. 38-2001 Davis Street Land Company, L.L.C.: A request for a change of zoning from a "C-8" Planned Commercial District to a "P-C" Planned Commercial District for a 1.983 acre tract of land located between Clarkson Road and Old Baxter Road, south of Chesterfield Parkway East (Locator Numbers 19S-44-0435 and 19S-44-0468).

Project Planner David Bookless gave an overview of P.Z. 38-2001 Davis Street Land Company, L.L.C. and asked the Planning Commission if they had additional issues to be reviewed and addressed.

City Attorney Beach asked Staff to find out what parcels are controlled by Kapps and Dierbergs. Mr. Beach expressed concern with all parties having access to the Outer Road. Mr. Beach asked if MoDOT would approve using the Outer Road as access for the commercial district.

Mr. Bookless stated that MoDOT has agreed but has shown a preference to the realignment on Lea Oak.

Mr. Beach stated that there needs to be uniformity in the ordinance for all parcels for coordination.

Chairman Banks stated that P.Z. 38-2001 Davis Street Land Company, L.L.C. would be held until all issues are reviewed and addressed.

C. P.Z. 30-2001 Westchester: A request for a change in zoning from an "NU" Non-Urban District to an "E-3" Residence District for a 7.49 acre tract of land located on the south side of Wild Horse Creek Road, east of Kehrs Mill Road and west of Wilson Road (Locator Number: 18U 24 0111).

Project Planner Mike Hurlbert gave an overview of P.Z. 30-2001 Westchester and asked the Planning Commission if they had additional issues to be review and addressed.

City Attorney Beach requested Staff to review the surrounding area, specifically the parcels to the south that are currently zoned Non-Urban (NU), and show how any of the "E" Districts could apply within the topography and size constraints of the parcels.

Commissioner Macaluso requested to read and review Mr. Jim Rocca's comments on the trees.

Chairman Banks stated that P.Z. 30-2001 Westchester would be held until all issues are reviewed and addressed.

Commissioner Macaluso requested to have Staff include all of Mr. Rocca's reports for P.Z. 34-2001 Chesterfield Village/Altshuler Tract and that when mitigation is discussed in a project, have this as part of the report.

IX. NEW BUSINESS – None

X. COMMITTEE REPORTS:

- A. Committee of the Whole
- B. Ordinance Review Committee
- C. Architectural Review Committee
- D. Site Plan
- E. Landscape Committee
- F. Comprehensive Plan Committee
- G. Procedures and Planning Committee
- H. Architectural Review Board Update
- I. Landmarks Preservation Commission

Chairman Banks requested that any comments be forwarded to Ms. Price from the Comprehensive Plan Open House. Staff is preparing for the public hearing.

Commissioner Right made a motion to adjourn the meeting. The motion was seconded by Commissioner Sherman and passes by a voice vote 8 to 0.

The meeting adjourned at 9:29 p.m.

Victoria Sherman, Secretary