

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
March 10, 2003**

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

I. PRESENT

ABSENT

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

II. INVOCATION: Commissioner Nolen

III. PLEDGE OF ALLEGIANCE:

Chairman Sherman recognized the attendance of Mayor John Nations, Councilmember Bruce Geiger (Ward II), and Council Liaison Mary Brown (Ward IV).

IV. PUBLIC HEARINGS: None

V. APPROVAL OF MEETING MINUTES

Commissioner Broemmer made a motion to approve the February 24, 2003 Meeting Minutes. The motion was seconded by Commissioner Right and **passes** by a voice vote of 9 to 0.

VI. PUBLIC COMMENT -

1. Mr. John Wagner, Doster Mickes James & Ullom, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, speaking in favor of **Larry Enterprises, L.L.C.**;
 - Speaker stated that the petitioner has decided not to develop the site and is attempting to sell the property. Due to the current market conditions, it may take a while so the petitioner is requesting an eighteen (18) month time extension to submit a Site Development Plan.
2. Mr. Michael Doster, Doster Mickes James & Ullom, 17107 Chesterfield Airport Road, Chesterfield, MO 63005, speaking in favor of **Chesterfield Commons Four (Wehrenberg) Ordinance #1773 Amendment**;
 - Speaker presented a hand-out to the Commission showing the proposed site and building;
 - Speaker stated that the changes for the ordinance amendment are: 6 outlots instead of 3, maximum number of buildings from 5 to 7, and maximum height change to north end of theater only from 45 feet to 70 feet (mega-screen area);
 - Speaker stated that the theater would have 14 screens, 2,603 seats and approximately 60,000 square feet.
3. Mr. Ron Krueger II, President of Wehrenberg Theaters, 12800 Manchester Road, Chesterfield, MO 63131, petitioner and speaking in favor of **Chesterfield Commons Four (Wehrenberg) Ordinance #1773 Amendment**;
 - Speaker stated that the theater will be a state-of-the art complex;
 - Speaker stated there will be 13 auditoriums with stadium seating. The 14th auditorium is the mega-screen complex with a 60 x 80 foot screen.

Commissioner Nolen stated that, depending on the use of the outlots, she was concerned for the safety of the pedestrians and suggested that the theater be more in the middle of the proposed site.

Mr. Doster stated that there are not yet any tenants for the outlots.

Councilmember Brown expressed concern with parents dropping off children and traffic.

Mr. Krueger stated that there would be a remote ticketing kiosk so people could drive through to purchase tickets, four (4) lanes in front of the theater with two (2) of them planned drop-off lanes and two (2) for through traffic.

4. Mr. Dean Burns, THF Realty, 2127 Innerbelt Business Center Drive, St. Louis, MO 63114, speaking in favor of **Chesterfield Commons Four (Wehrenberg) Ordinance #1773 Amendment;**

- Speaker stated that there will be ample parking for the theater;
- Speaker stated that the petitioner is also concerned about pedestrian egress and ingress and will do whatever possible to make a smooth transition for pedestrians going between the theatre and the outlots.

5. Mr. Kurt Krueger, Rataj Krueger Architects, 50 Crestwood Executive Center, St. Louis, MO 63126, architect and speaking in favor of **Chesterfield Commons Four (Wehrenberg) Ordinance #1773 Amendment;**

- Speaker stated that the mechanical units will be placed on the roof towards the center of the building and will be well-screened by parapets on all sides of the building;
- Speaker stated that the petitioner is asked for the additional building height due to the mega-screen;
- Speaker stated that the general height for the building will be approximately 32 feet, the entrance area being in the 52-foot area, and the mega-screen area being 70 feet in height;
- Speaker stated that there are many controlled entrances and exits for the building but patrons will be directed towards the main entrance;
- Speaker stated that the movie companies will provide the large movie poster that will be located on the side of the building by the mega-screen in the poster case. The poster case is 18 feet by 48 feet.

City Attorney Doug Beach stated that the ordinance does not allow for a sign that large but does allow for a 300-square foot sign.

Mr. Doster stated that the petitioner is only asking for approval for the ordinance amendment tonight and will submit a Site Development Plan and Signage Package later and will decide whether they will need to ask for a variance on the sign.

Commissioner Macaluso asked the petitioner if he would delete some of the permitted uses: (ooo) Vehicle repair facilities, (ppp) Vehicle service centers, and (qqq) Vehicle washing facilities.

Mr. Doster stated that the permitted uses have already been approved but the petitioner will review the uses.

Commissioner Banks expressed concern with the traffic and the possibility of a traffic study.

General discussion followed concerning the setbacks and having an Issues Meeting for this petition.

Mayor Nations stated that when this petition was originally proposed, it was to be located north of Chesterfield Airport Road and there was concern with pedestrians crossing this road for restaurants and stores on the southern side. Mayor Nations stated that since this proposal has moved south of Chesterfield Airport Road, there would not be as much a safety concern since the pedestrians would not be crossing Chesterfield Airport Road. Mayor Nations stated that the City has been encouraging the mixed-use, walkable community, mixed-retail concept.

Mr. Doster stated that there will be 857 parking spaces with the new proposal for the theatre and 650 spaces are required.

Mr. Burns stated that access to the six (6) outlots would be from THF Boulevard only. Mr. Burns stated that Public Works Drive will be improved to three (3) lanes and access will also be at Edison Avenue. Mr. Burns stated that the petitioner had originally considered having the theater in the middle of the site but the entrance and exit will be at the controlled access point in front. Mr. Burns stated that this is the end of THF Boulevard and it will only be destination traffic and not through traffic. Mr. Burns stated that the two (2) main access points into the proposed development would be Chesterfield Airport Road/Public Works Drive and the signalized access in front of Chesterfield Commons West with cross access at THF Boulevard. Mr. Burns stated that the Edison Road access would be for Chesterfield residents who know that it is there.

Mr. Doster stated that the setbacks have already been approved for the theater but nothing has been proposed for the outlots so they do not yet have setbacks.

Mayor Nations asked the Planning Commission to approve this petition.

Mr. Burns stated that the outlots would be limited to a height of 25 feet.

Mr. Doster stated that a technical change has been made in the Attachment A, page 7, VII. SPECIFIC CRITERIA, A. Structure Setbacks, b., iii, "~~Forty-five (45)~~ **Thirty-four (34)** feet from the southern boundary of the Outlots." Mr. Doster stated that the petitioner was willing to put a limit on the height of the outlots at 25 feet instead of 3 stories or forty-five (45) feet and they will review the list of permitted uses.

6. Mr. John Mitchell, General Counsel for Wehrenberg Theaters and speaking in favor of **Chesterfield Commons Four (Wehrenberg) Ordinance #1773 Amendment**;

- Speaker declined to speak.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS:

- A. **River Crossings, Lot 1 (Farotto's)**: Site Development Section Plan, Architectural Elevations, and Landscape Plan for a restaurant building on a 1.97 acre tract of land, zoned PC Planned Commercial District, located north of Chesterfield Airport Road, across from Public Works Drive.

Commissioner Macaluso, on behalf of the Site Plan Committee, stated that **River Crossings, Lot 1 (Farotto's)** was being held.

- B. **Spirit Trade Center, Lot 9 (Maune)**: Site Development Section Plan, Architectural Elevations, and Landscape Plan for a new, one-story office/warehouse building on a 2.54 acre tract of land, zoned "M-3" Planned Industrial District, located on the southeast corner of Trade Center Boulevard and Edison Avenue.

Commissioner Macaluso, on behalf of the Site Plan Committee, made a motion to approve the Site Development Section Plan, Architectural Elevations and Landscape Plan for **Spirit Trade Center, Lot 9 (Maune)** with the condition that the trash enclosure be of the same materials as the building. The motion was seconded by Commissioner Wardlaw and **passes** by a voice vote of 8 to 1. (Commissioner Kodner voted nay.)

VIII. OLD BUSINESS - None

IX. NEW BUSINESS -

- A. **Larry Enterprises, L.L.C.**: A request for an eighteen (18) month extension to submit a Site Development Plan for 17385 North Outer Forty Road.

Senior Planner Barbara Weigel gave an overview of **Larry Enterprises, L.L.C.** and stated that the rezoning for the proposed site was approved by the Planning Commission on October 3, 2001. Ms. Weigel stated that the petitioner is selling the property and, due to the unfavorable economic conditions, is requesting an 18-month extension of time to submit a Site Development Plan for review.

Commissioner Broemmer made a motion to grant the 18-month time extension to **Larry Enterprises, L.L.C.** to submit a Site Development Plan for review. The motion was seconded by Commissioner Right.

Commissioner Macaluso stated that she was uncomfortable with allowing the petitioner 18 months to submit a Site Development Plan for review but would rather allow a 12-month extension.

Commissioner Macaluso made an amendment to the motion to allow the petitioner a 12-month extension to submit a Site Development Plan. Commissioner Broemmer accepted the amendment to his motion. Commissioner Right did not accept the amendment to the motion that he seconded. Commissioner Banks seconded the amendment to the motion.

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

The amendment to the motion fails by a vote of 4 to 5.

The Commission voted on the original motion:

Commissioner Broemmer made a motion to grant the 18-month time extension to **Larry Enterprises, L.L.C.** to submit a Site Development Plan for review. The motion was seconded by Commissioner Right.

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

The motion passes by a vote of 6 to 3.

- B. Chesterfield Commons Four (Wehrenberg) Ordinance #1773**
Amendment : an amendment to City of Chesterfield Ordinance Number 1773 relating to the Chesterfield Commons (Technology Park II) development, zoned "PI" Planned Industrial District located south of Chesterfield Airport Road, east of Public Works Drive, and west of RHL Drive.

Project Planner Mike Hurlbert gave an overview of **Chesterfield Commons Four (Wehrenberg) Ordinance #1773 Amendment**. Mr. Hurlbert stated that the different building location changed the setbacks and that Mr. Doster stated in Work Session that the property line for outlots D, E and F was changed so the setback on the southern boundary was changed from forty-five (45) feet to thirty-four (34) feet.

Mr. Hurlbert stated that the ordinance requires a traffic study prior to Site Development Plan approval for both internal and external circulation.

Commissioner Layton made a motion to approve **Chesterfield Commons Four (Wehrenberg) Ordinance #1773 Amendment**, as presented, with the remark that the Planning Commission is very concerned with the issues of traffic circulation and safety and would like them addressed in Site Development Plan review. The motion also includes changing the setback on the southern boundary from forty-five (45) feet to thirty-four (34) feet due to the change in the property line for outlots D, E and F in Attachment A, page 7, VII. SPECIFIC CRITERIA, Structure Setbacks, 1., b., iii. The motion was seconded by Commissioner Nolen.

Commissioner Broemmer made an amendment to the motion to have a maximum building height of twenty-five (25) feet for the outlots. Commissioner Layton and Commissioner Nolen accepted the amendment to their motion.

Commissioner Macaluso expressed concern with the green space percentage and the petitioner to possibly make changes to the 'Permitted Use List' if this petition is voted on this evening.

Commissioner Macaluso made a motion to hold **Chesterfield Commons Four (Wehrenberg) Ordinance #1773 Amendment** until the March 24, 2003 Planning Commission Meeting. The motion was seconded by Commissioner Wardlaw.

City Attorney Beach stated that a motion to hold supercedes a motion on the floor.

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

The motion fails by a vote of 4 to 5.

The Planning Commission voted on the amended motion to approve **Chesterfield Commons Four (Wehrenberg) Ordinance #1773 Amendment**, as presented, with the remark that the Planning Commission is very concerned with the issues of traffic circulation and safety and would like them addressed on Site Development Plan review. The motion also includes changing the setback on the southern boundary from forty-five (45) feet to thirty-four (34) due to the change in the property line for outlots D, E and F in Attachment A, page 7, VII. SPECIFIC CRITERIA, Structure Setbacks, 1., b., iii., and a maximum building height of 25 feet for the outlots. The motion was seconded by Commissioner Nolen.

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

The amended motion passes by a vote of 6 to 3.

- C. **Landscape Guidelines Amendment**: a proposal to amend the City of Chesterfield Landscape Guidelines to include a requirement that a Conceptual Landscape Plan be submitted with Site Development Concept Plans.

Senior Planner Barbara Weigel gave an overview of the **Landscape Guidelines Amendment** and stated that the amendment would require that a Conceptual Landscape Plan be submitted with Site Development Concept Plans.

Commissioner Broemmer made a motion to amend the **Landscape Guidelines Amendment** to require that a Conceptual Landscape Plan be submitted with Site Development Concept Plans. The motion was seconded by Commissioner Right and **passes by a voice vote of 9 to 0.**

X. COMMITTEE REPORTS:

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

Committee Chair Layton presented a hand-out showing ordinance accomplishments and current issues being reviewed. Committee Chair Layton commended Project Planner Annissa McCaskill and Director of Planning Teresa Price for their work with the Ordinance Review Committee.

- C. **Architectural Review Committee**
- D. **Landscape Committee**
- E. **Comprehensive Plan Committee**

- F. Procedures and Planning Committee**
- G. Landmarks Preservation Commission**

The meeting unanimously adjourned at 8:31 p.m.

Jerry Right, Secretary