

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
FEBRUARY 26, 2007**

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

I. PRESENT

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

ABSENT

Mr. David Asmus
Mr. Gene Schenberg

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. Aimee Nassif, Senior Planner
Ms. Jennifer Yackley, Project Planner
Ms. Mary Ann Madden, Planning Assistant

II. INVOCATION: Commissioner Banks

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 Broemmer read the “Opening Comments” for the Public Hearings.

- A. P.Z. 3-2007 Chesterfield Retail Center:** A request for a change of zoning from an “M3” Planned Industrial District to a “PC” Planned Commercial District for an approximately 2.045 acre tract of land located at 17670 and 17680 Chesterfield Airport Road east of the intersection of Chesterfield Airport Road and Chesterfield Industrial Boulevard.

Ms. Jennifer Yackley, Project Planner, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Yackley stated the following:

- The Petitioner is requesting the following uses:
 - (e) Associate work and storage areas required by a business, firm or service to carry on business operations.
 - (h) Barber shops and beauty parlors.
 - (i) Bookstores.
 - (o) Dry cleaning drop-off and pick up stations.
 - (s) Financial institutions.
 - (x) Medical and dental offices.
 - (z) Offices or office buildings.
 - (hh) Restaurants, fast food.
 - (ii) Restaurants, sit down.
 - (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.
 - (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.
- The Comprehensive Plan designates the site as "Mixed Use (Office/Retail/Warehouse)". The proposed uses are consistent with the land use designation.
- There are no outstanding departmental issues at this time.

PETITIONER'S PRESENTATION:

1. Mr. Tim Short, Studio One Architecture, 4671 Highway Z, Wentzville, MO stated the following:

- He is the architect for the subject project.
- The project is a single-story, 13,000 square foot retail strip center on a two-acre parcel along Chesterfield Airport Road. The height of the building is approximately 25 feet to the highest point, which is the parapet at the front of the building.
- The site has an access easement behind Regions Bank, which will provide all the access to the facility.

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

- **Regarding access to the site:** They are proposing a small ground monument sign at the front of the site addressing the center name. They are also proposing a monument sign off the Industrial Park by Regions Bank in the 40' access easement indicating the drive to the retail center.

- **Regarding pedestrian access:** All the vehicular access will come through the 40' access drive. Pedestrian traffic will be connected with any existing sidewalks off the Bank's infrastructure. There currently are no sidewalks off the front of Chesterfield Airport Road. Commissioner Sherman stated that the City has been encouraging its residents to walk – therefore, anything that can be done to encourage people to walk to the retail center from other places along the Industrial Boulevard and Chesterfield Airport Road would be appreciated. Ms. Yackley stated that St. Louis County has commented that it would like a sidewalk along Chesterfield Airport Road, which will be included in the Attachment A.
- **Regarding the curb cut to the bank:** The curb cut, which accesses the bank, is the same curb cut that will extend on and become the drive into the proposed retail center. Commissioner O'Connor expressed concern about this area having a difficult turn and noted the ATM machine is right after the turn with a back-up of cars. This same drive also leads to the drive-up window outside the bank.

Chair Hirsch stated that the issues of the pedestrian sidewalk and access to the site would be reviewed at the Site Plan stage.

Mr. Mike Geisel, Acting Director of Planning, stated that the existing road goes in an east/west direction. The bank parking lot accesses off of this road. This is a through-road – other than the access to the bank parking lot, there is nothing else accessed directly off this road.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. "Vending machines" are to be an ancillary use.
2. How will pedestrians who use the sidewalk, required by County along Chesterfield Airport Road, get onto the subject site?
3. Address the signage that would give directions to the development.

- 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, gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Yackley stated the following:

- The Petitioner is requesting the amendment so they can divide the existing lot, which will require an amendment to the existing setbacks.
- The Petitioner is not proposing to change any of the buildings, parking or parking structure.
- If the lot had been divided at the time of the original petition, the buildings could still have been built as they are now. However, the setbacks for the structure, parking, and parking structure would have been written accordingly.

- **Requested Amendments**

- Section E. Structure Setbacks**

- Phase I Office Building:

- Current Setback: 255 foot setback from the western boundary line

- Requested Setback: Zero (0) foot setback from interior lot lines

- Phase II Office Building:

- Current Setback: 375 foot setback from the eastern boundary

- Requested Setback: Zero (0) foot setback from interior lot lines

- Section E. Parking and Loading Space Setbacks**

- Add a setback: Zero (0) feet from interior property lines

- Section F. Parking Structure Setbacks**

- Add a setback: Zero (0) feet from interior property lines

- The requested uses meet the Land Use Plan.
- There are no outstanding issues.
- The Department has just received agency comments from St. Louis County and MSD, which will be used to finalize the Attachment A.

PETITIONER'S PRESENTATION:

1. Mr. John King, Attorney for the Petitioner, 168 N. Meramec Avenue, Clayton, Mo stated the following:
 - If a decision is made to sell one of the buildings, the Petitioner would file deed restrictions prior to the sale. The deed restrictions would have to be presented to the Planning Department and City Attorney.
 - The deed restrictions would control maintenance of the site among all the parties, and would allow for cross access for parking, access to the site and use of all the internal roads and common ground on the site.
2. Mr. Mel Kosanchick, Engineer for the project, 31 Old Ridge Road, St. Louis, MO was available for questions.
3. Mr. Howard Oppenheimer, President of Delmar Gardens, 14805 North Outer Forty, Chesterfield, MO was available for questions.

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

- **Regarding the possible sale of one of the buildings:** If a building is sold, no changes will take place to the outside of the building. This will be contained in the deed restrictions.
- **Regarding parking:** Ms. Yackley stated that parking requirements are met with the proposed amendments.
- **Regarding whether the two buildings share any utilities:** The buildings will be sharing sewer, sanitary and storm lines, which will be taken care of within the deed restrictions.
- **Regarding whether the new owner will be allowed a new sign on the building:** The signage will remain as is and will be governed by the existing ordinance.

Mr. King clarified that the building is not being sold at this time.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES: None

- C. **P.Z. 07-2007 Spirit Valley Business Park (18652, 18630, 18650, and 18660 Olive Road):** A request for a change of zoning from “NU” Non-Urban to “PI” Planned Industrial for a 52.89 acres of land located south of Olive Street Road, east of Wardenburg. (17W420057, 17W420035, 17W230010, 17W230021)

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

- **Proposed Uses for the Site:**
 - (b) Animal hospitals, veterinary clinics, and kennels.
 - (c) Meat packing facilities.
 - (e) Arenas and stadiums.
 - (f) Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.
 - (h) Broadcasting studios for radio and television.
 - (i) Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications.
 - (j) Business, professional, and technical training schools.
 - (k) Business service establishments.
 - (l) Cafeterias for employees and guests only.

- (n) Churches shall be allowed on tracts of land of at least one acre in size.
- (q) Financial institutions.
- (u) Filling stations, including emergency towing and repair services.
- (v) Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor unlighted outdoor tennis courts (public or private).
- (w) Storage and charter of boats, on land, repair facilities for boats, and sale of fuel and other supplies for marine use.
- (x) Highway Department garages.
- (y) Hotels and motels.
- (bb) Laundries and dry cleaning plants, not including personal and individual drop-off and pick-up service.
- (cc) Local public utility facilities, provided that any installation, other than poles and equipment attached to the poles, shall be:
 - (i) Adequately screened with landscaping, fencing, or walls, or any combination thereof; or
 - (ii) Placed underground; or
 - (iii) Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.
- (dd) Mail order sale warehouses.
- (ee) Manufacturing, fabrication and processing of flammable gases, liquids, and explosives.
- (ff) Manufacturing, fabrication, assembly, processing, or packaging, of any commodity except:
 - (ii) Facilities for animal slaughtering, meat packing, or rendering;
 - (iii) Sulphur plants, rubber reclamation plants, or cement plants; and
 - (iv) Steel mills, foundries, or smelters.
- (gg) Medical and dental offices.
- (ii) Office or office buildings.
- (II) Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.
- (mm) Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities.
- (nn) Police, fire, and postal stations.
- (oo) Printing and duplicating services.
- (tt) 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.
- (uu) Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith.

- (vv) Restaurants, fast food.
- (ww) Restaurant, sit down.
- (xx) 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.
- (yy) Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture.
- (zz) Sales yards operated for a charitable purpose by a church, school, or other not-for-profit organization.
- (ccc) Service facilities, studios, or work areas for antique salespersons, artist, candy makers, craftpersons, 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.
- (eee) Permitted signs (See Section 1003.168 "Sign Regulations")
- (ggg) Storage and repair garages for public mass transit vehicles.
- (hhh) Storage yards for lumber, coal, and construction materials.
- (iii) 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.
- (nnn) Union halls and hiring halls.
- (ooo) Vehicle repair facilities.
- (ppp) Vehicle service centers.
- (qqq) Vehicle washing facilities.
- (sss) Welding, sheet metal, and blacksmith shops.
- (ttt) Yards for storage of contractors' equipment, materials, and supplies, excluding junk yards and salvage yards.

Ancillary Uses:

- (g) Automatic vending facilities for:
 - Ice and solid carbon dioxide (dry ice);
 - Beverages;
 - Confections.
- Staff is working with the Petitioner to reduce the number of proposed uses. An amended list of proposed uses will be provided at the next meeting.
- The subject site is located in the Sub-Area 1 of the Chesterfield Valley and is designated in the Comprehensive Plan as "Industrial/Low Intensity".
- Items Currently under Review with the Department:
 - Staff is requesting that the Petitioner amend the list of requested uses to more accurately reflect this Sub Area of "Low Intensity Industrial".

- The development guidelines for this Sub Area, which include:
 - ✓ 50% open space – It was noted that other developments in this area have a 50% open space until utilities are in place, which then reduces the required open space to 30%. Most of the developments in this area have 30% open space.
 - ✓ Maximum building height of 40 feet.
 - ✓ Parking ratio for any use is 4 spaces/1,000 square feet.

PETITIONER'S PRESENTATION:

1. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
 - They are seeking a rezoning from NU to PI for 52.89 acres, which is an assemblage of four parcels.
 - They are in an area designated in the Land Use Plan as "Industrial/Low Intensity" and they believe the requested uses are compatible with the Land Use Plan category.
 - There are three lots already under contingent contracts. One of the parties under contract is Vermeer currently located on Chesterfield Airport Road, just east of Long Road. Vermeer is seeking to relocate its operation.
 - As shown on the Concept Plan, the subject lots range in size from 1.6 acres to 6.5 acres. The largest lot is under contingent contract with Vermeer.
 - The three approved developments at the west end of the Valley – Precision Plaza, Precision Systems, and Wings Corporate Estates – are all Planned Industrial developments, which have requirements that allow them to go to 30% open space once utilities are available.
 - They feel the proposed development is similar to the above three developments. The subject site will have sanitary sewer available to the site and they feel that 30% open space is appropriate.
2. Mr. Doug Bruns, Stock & Associates – Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO reviewed the Preliminary Site Plan and stated the following:
 - They are proposing to sub-divide the subject parcel into 20 lots ranging in size from 1.6 acres to 6.5 acres. They show conceptual buildings ranging from 12,000 sq. ft. to 110,000 sq. ft.
 - Access to the site would be via two curb cuts onto Old Olive Street Road. Internal access within the site would be a 26'-wide pavement with 7' shoulders within a 45' public right-of-way.
 - Sanitary service to the site would be from a proposed pump station from the southwest. They would be running an 8-inch main up through the site. This project is scheduled to be let sometime this spring.
 - Water service to the site would be via a 12-inch main extension. This project has already been let.

- They have received comments from St. Louis County Highways and Traffic. The developer will be improving Old Olive Street Road to one-half of a three-foot section along the site's frontage.
- The storm drainage for the site will be via open channels. There is an existing petroleum pipeline that bisects the northwest portion of the site, which crosses the subject site almost at the site's east access point and then leaves the site midway on the west property line. Storm drainage to the north of that line will travel north and then tie into a roadside ditch along Old Olive Street Road. South of the pipeline will be the conveyance of all the storm run-off along open channels on the east and west property lines. They will then discharge into one of the Chesterfield Valley master storm water ditches. The location of the ditches has been coordinated with St. Louis County Airport.

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

- **Regarding the availability of the sanitary sewers:** The sanitary sewers, along with water, are scheduled to be in place before construction of the development.
- **Regarding the number of curb cuts:** Originally the site had one curb cut but the Fire Marshall is requiring two points of ingress/egress for emergency access. Other developments in the Valley, with half the acreage, have one point of access. The Petitioner feels that two points of access for 52 acres is acceptable.

3. Mr. Daniel Hayes, 8235 Forsyth, Clayton, MO was available for questions.

Discussion then followed regarding the proposed uses. Mr. Doster stated that they are willing to amend the following uses as indicated below:

- (b) Animal hospitals, veterinary clinics, ~~and kennels.~~
- (e) ~~Arenas and stadiums~~
- (f) ~~Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly.~~
- (ee) ~~Manufacturing, fabrication and processing of flammable gases, liquids, and explosives.~~
- (ff) Manufacturing, fabrication, assembly, processing, or packaging, of any commodity except:
 - (i) ~~Facilities producing or processing explosives or flammable gases or liquids.~~
 - (ii) Facilities for animal slaughtering, ~~meat packing~~, or rendering;
 - (iii) Sulphur plants, rubber reclamation plants, or cement plants; and
 - (iv) Steel mills, foundries, or smelters.
- (zz) ~~Sales yards operated for a charitable purpose by a church, school, or other not for profit organization.~~
- (ccc) Service facilities, studios, or work areas for antique salespersons, artist, candy makers, craftpersons, 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.

The following uses were reviewed and commented upon as follows:

- (h) Broadcasting studios for radio and television – Mr. Doster stated that this is a possible use for the site and asked that it be retained.
- (i) Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications. – Mr. Doster stated that they are waiting on comments from the Airport with respect to the height of the transmission towers.
- (n) Churches shall be allowed on tracts of land of at least one acre in size. – Mr. Doster stated that there could be a church, like St. Louis Family Church, which may want to locate in a building that traditionally looks like an office/warehouse type of building. He asked that this use be retained. Commissioner Perantoni expressed concern about parking for such a use. Since churches generally meet on weekends, Mr. Doster did not feel that parking would conflict with other uses on the site.
- (v) Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor unlighted outdoor tennis courts (public or private). – Mr. Doster stated that they have had some inquiries from users like a physical training center or work-out center for gymnastics. He understands that all of these uses are intended to be indoor uses.
- (w) Storage and charter of boats, on land, repair facilities for boats, and sale of fuel and other supplies for marine use. – Mr. Doster stated that it is possible they may have a user who would want a storage place for boats. It is possible they may have an office for chartering excursions from another location.
- (tt) 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. – Mr. Doster stated that this use would be reviewed to possibly eliminate some of the language.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

REBUTTAL: None

ISSUES:

1. Provide amended list of uses.
2. Address the number of curb cuts.

3. Provide information as to when the sewers for this project will be in place. Mr. Geisel stated that the subject location is one of the target sites that the City and the Levee District have partnered on – the work is under contract and it is expected that the work will be completed this year. There have been some difficulties with easement acquisition and rights-of-way, but there is no doubt that these facilities will be in place.

Commissioner Broemmer 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 12, 2007 Planning Commission Meeting. The motion was seconded by Commissioner Sherman and **passed by a voice vote of 7 to 0.**

VI. PUBLIC COMMENT

RE: P.Z. 28-2006 Chesterfield Neighborhood Office Park (17655 and 17659 Wild Horse Creek Road)

Petitioner:

1. Mr. Ed Griesedieck, Attorney for the Petitioner, 1 City Center, St. Louis, MO stated the following:
 - Responding to an issue raised during the Work Session regarding how density would be affected if the bluffs were taken out of the calculation, Speaker stated that the property falls back at a certain point on the site. As to where it falls back, Speaker felt that it is subject to interpretation, depending upon whether it is before or after grading, etc. He stated that if property is removed from a site, generally speaking, the ability to develop on the site decreases. Depending upon where one would take some property out of the bluff, it would decrease the developable part of the site.
 - The Petitioner has reviewed the City's ordinances. They feel the ordinances talk about what must be done in the bluff – and how property is disturbed or not disturbed in the bluff.
 - There are also requirements by the City that the Developer provide walking paths in the bluff. They feel that the walking paths are an amenity for the development and neighboring residents.
 - They did not find any requirement in the ordinances for taking out any of the property in the bluff.
 - He reviewed how other properties have been developed in this area and he has not found any precedent by the City to require a Developer to take any of the property out of the bluff.

- He does not feel it is appropriate for the City to ask the Developer to take property out of the bluff on this project. But if property is taken out, it would decrease the size of the site.
- Regarding a question raised in the Work Session regarding density, Speaker stated that the subject site was compared directly to the daycare center, which was recently approved by the City. The daycare center is a two-acre site with a 12,000 sq. ft. building. The subject site is an eight-acre site with 48,000 sq. ft. of buildings. Density for the two sites would be exactly the same.
- Parking for the daycare center was based upon the City's parking calculations; parking for the proposed site is also based upon the City's parking calculations. The proposed site would have 192 parking spaces for the blended uses, which is 4 parking spaces/1000.sq. ft.

Chair Hirsch stated that the issue of removing property from the bluff is not meant to limit the development of the property, but deals with the issue of "perception of density". He stated that he would still like this information provided to the Commission since this is the first major development of Neighborhood Office in this area. He indicated that the Commission has a concern with the overall density of the property – both physical density and perceptual density.

Mr. Griesedieck replied that they reviewed what was done with the daycare center, which is a flat site at the street. The center was developed on two acres with a 12,000 sq. ft. building. If one looked at the subject site and noted where the first part of the hill goes, it's about three acres on the back side. The grading changes all that so if one acre is taken, the site would lose about 6,000 sq. ft., based upon the same density calculations, which Speaker doesn't think is fair.

Mr. Griesedieck went on to say that, after grading, the subject site falls about ten feet below Wild Horse Creek Road and the first building will be over 600' away from Wild Horse Creek Road. There will also be extensive landscaping on the front, sides, and rear of the property.

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

- **Regarding parking calculations for the site:** The site has two proposed office buildings and two proposed medical office buildings for a total of 48,000 sq. ft. Office buildings require 3.5 parking spaces/1000 sq. ft; medical office buildings require 4.5 parking spaces/1000 sq. ft. They have calculated the site at 4 parking spaces/1000 sq. ft. for 192 spaces. It was noted that the daycare center only has 33 parking spaces because the parking requirements are different for a daycare center.

Commissioner Perantoni expressed concern about some medical office buildings throughout the area (not the Chesterfield area) having a tight feeling and a lot of parking. She wants to avoid this type of cramped-feeling for the subject site. Mr. Griesedieck stated that the parking is towards the interior of the site and is

blended around the four buildings. The site also has extensive landscaping throughout the development to try and give an open feel. The buildings are only one-story tall. The 192 parking spaces is the bare minimum required by the governing ordinance.

Chair Hirsch asked if the Petitioner would be agreeable to having the Attachment A limit the building heights to 30 feet. Mr. Griesedieck indicated that a 30-foot height limit is acceptable.

RE: P.Z. 05-2007 Spirit of St. Louis Corporate Center (18199 and 18299 Chesterfield Airport Road)

Petitioner:

1. Mr. Mike Hejna, Gundaker Commercial Group, 17814 Grey Abbey Court, Chesterfield, MO stated the following:
 - Gundaker Commercial Group is co-developing the south side of the jail site with Duke Realty.
 - He is available for any questions.
 2. Mr. Jerry Crylen, Senior Vice-President of Duke Realty, 7 Wilson Ridge Court, Chesterfield, MO stated he was available for questions.
 3. Mr. Denny Coleman, President and CEO of St. Louis County Economic Council, 121 South Meramec, Clayton, MO stated the following:
 - In working jointly with the City, they are pleased that they have been able to attract two very good and qualified co-developers, Duke Realty and Gundaker Commercial, for the 32-acre site.
 - They feel that the amount of Class A office space being developed on the site is very critical because there is a dearth of large-scale, contiguous Class A space throughout the entire St. Louis market at the present time. They have a tremendous number of projects in the pipeline, including attractions from outside St. Louis, which have no place to locate. The addition of this Class A office space into the marketplace is very advantageous.
 - The addition of the infrastructure investment with the eastbound ramp onto I-64 and the westbound-off ramp will be very important not only to the subject development, but also to Spirit Airport and the entire western development of the Valley.
 - Speaker thanked Mayor Nations, City Administrator Mike Herring, and Libbey Simpson for their cooperation in moving this project forward.
 4. Mr. Doug Bruns, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated the following:
 - He is requesting an amendment to the draft ordinance with respect to the uses on the north portion of the site.
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RE: P.Z. 01-2007 Sentrus (17947 Chesterfield Airport Road):

Speakers – Neutral:

1. Ms. Mary Schultz, Partner in Chisholm Properties, 640 Cepi Drive, Suite A, Chesterfield, MO stated the following:
 - Chisholm Properties invested in the City in 2002 by purchasing an office building at the southeast corner of Cepi Drive and Chesterfield Airport Road.
 - Their building is relatively small with three tenants.
 - They want to protect their investment. They feel that the concerns they had with Sentrus have been addressed but want to make sure that their investment will be protected in the future also.
 - Because there are no tenants yet for all the office buildings, they have concern that future tenants will be allowed to have explosives that are allowed in the Attachment A for Sentrus.
 - They are not opposed to the rezoning but hope that their concerns can be addressed.

Petitioner:

1. Mr. Ryan Schriber, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO stated he was available for questions.
2. Mr. Mike Doster, Attorney for the Petitioner, 17107 Chesterfield Airport Road, Chesterfield, MO stated the following:
 - He thanked the City for allowing them the opportunity to potentially accelerate the process.
 - The Petitioner is a defense contractor, which provides proprietary high-technology surveillance equipment to the military and to Homeland Security. This equipment protects the security of the nation's troops in battlefield situations.
 - At the present time, there are some open issues on the Concept Plan and the Site Section Plan, which they hope to address. These plans should be before the Commission at its next meeting.
 - They are requesting approval of the rezoning so that it can go forward to the Planning & Zoning Committee.
 - Speaker proposed the following language to Section I.B.3. of the Attachment A regarding Permitted Uses: (Changes noted in **bold**)

The above uses shall be **modified or** restricted as follows:

Discussion was held regarding the language in the Attachment A pertaining to explosives. City Attorney Heggie proposed the following language with respect to Section I.B.1.m. as follows: (Changes noted in **bold**)

Warehousing, storage, or wholesaling of manufactured commodities, excluding live animals, explosives, or flammable gases and liquids. **Storage of explosives is allowed as set forth**

in 3.a. below. Said storage of explosives as permitted in 3.a. below shall only be allowed on the northeast lot, proposed Lot #4.

Mr. Doster indicated his acceptance of the proposed change.

Ms. Nassif pointed out that if the number of lots on the site were to change, then Lot 4 may not be the applicable lot. Chair Hirsch directed Staff to work with the City Attorney and Petitioner for the appropriate language.

3. Mr. Richard Weinstein, President of Sentrus Government Systems Division, 141 Chesterfield Industrial Blvd., Chesterfield, MO was available for questions.

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

- **Regarding assemblage and storage of the explosive devices:** The explosive devices relate to remote detonation. The devices would come fully assembled. They would not be brought into the office building. Sentrus must follow rules imposed by the Bureau of Alcohol, Tobacco, Firearms & Explosives, as well as OSHA rules, which prohibit the devices being brought into populated buildings. The devices would not be activated on-site.
- **Regarding whether hazardous materials would be transported to and from Sentrus:** There would not be any hazardous materials being transported.

Discussion was held on whether to limit use of the storage of explosives to Sentrus only. Mr. Doster pointed out that Sentrus could be acquired by another defense contractor or a defense contractor in a related industry,

Commissioner Broemmer questioned how the City would address the level of explosives allowed if a different contractor acquired Sentrus. He pointed out that the level of explosives allowed is just as important as the amount of explosives allowed to be stored. Mr. Weinstein stated that the density, type, etc. of the explosives are governed by the rules and regulations of the Bureaus of Alcohol, Tobacco, Firearms & Explosives. Sentrus is also subject to inspection 24 hours a day. The intent is to keep a small amount for demonstration purposes only – they would not be warehoused or stockpiled.

Commissioner Broemmer stated that if explosives are allowed per site vs. allowed per Sentrus only, a different defense contractor could come in and perhaps have a different level of explosives. Chair Hirsch pointed out that the Attachment A contains the following language with respect to the explosives:

This limited permission only extends to devices used for demonstration, prototyping, support purposes and does not extend to inventory or general warehousing of explosives.

Commissioner Broemmer expressed concern that the language doesn't address the level of explosives allowed or the quantity allowed.

Mr. Weinstein stated that any type of explosive is capable of producing a specific amount of energy. The energy calculations for the explosive devices to be stored by Sentrus meet the engineering criteria of the proposed bunker. They are not permitted to store any more material than is allowed by the engineering criteria which would thus contain the blast radius onto their property. The rules would govern as to how much energy potential could be stored in the bunker. They will not seek to modify the bunker structure or enlarge it any manner.

Chair Hirsch noted that any future defense contractor would have to modify the bunker if the class or quantity of explosives was changed. Mr. Weinstein stated that any proposed modifications to the bunker would have to be presented to the Commission for approval. He further stated that Sentrus would agree to having the size of the bunker capped at the specific size being proposed. He noted that the bunker is buried underground, covered by dirt, and is 30'x20' in size.

Commissioner Perantoni expressed concern about Lots 1, 2, 7, 8, and 9 showing three-story buildings on the plans, some of which are immediately adjacent to, or near, Chesterfield Airport Road. Mr. Doster stated that the plan is a conceptual plan at this point. The only lot that has a specific building planned for it at this time is the Sentrus Building. He stated that he is not aware of any City policy that prohibits three-story buildings near Chesterfield Airport Road and pointed out that there are already some three-story buildings along this road – Gundaker, Taylor-Morley, and Mohela – which he feels are attractive.

Chair Hirsch noted that Commissioner Perantoni's concern would be reviewed at the Site Development Plan stage. Ms. Nassif clarified that the Commission is only voting on the rezoning this evening. It is anticipated that the Section and Concept Plans will be presented at the next meeting.

VII. SITE PLANS, BUILDING ELEVATIONS AND SIGNS

- A. McDonald's Corporation:** An Amended Site Development Plan, Landscape Plan and Lighting Plan for a fast-food restaurant located at southeast corner of the intersection of Long Road and Chesterfield Airport Road.

Commissioner O'Connor, representing the Site Plan Committee, made a motion to approve the Amended Site Development Plan, Landscape Plan, and Lighting Plan. The motion was seconded by Commissioner Banks and passed by a voice vote of 7 to 0.

VIII. OLD BUSINESS

- A. **P.Z. 28-2006 Chesterfield Neighborhood Office Park (17655 and 17659 Wild Horse Creek Road):** A request for a change of zoning from "NU" Non-Urban to "PC" Planned Commercial District with a "WH" Wild Horse Creek Road Overlay for 8.04 acre tract of land located north of Wild Horse Creek Road and west of Long Road. (18V510095 & 18V510040)

Ms. Aimee Nassif, Senior Planner, stated that the requested rezoning will have the "WH" Wild Horse Overlay District requirements on top of it. The proposed development is located just north of the previously-approved Wild Horse Child Care Center. The draft Attachment A includes both the Planned Commercial requirements and the Wild Horse Overlay requirements.

ISSUES:

1. Provide information on how the density would be affected if the bluffs are removed from the site calculations. Regarding the location of the start of the slope, define a line, based upon where the slope reaches a certain percent. Chair Hirsch stated that if one takes what is limited in the Ordinance, it is anything greater than a 20% slope. The Petitioner has clarified that they are not developing anything that is on a slope that is greater than 17%.
2. Show what percent of this property has 20%, or greater, slopes on it going to the north.
3. Provide clarification on the slope percentages.
4. Include a 30-foot maximum building height requirement in the Attachment A.

Commissioner Sherman asked how the parking requirements would be affected if this parcel of 8 acres was instead 8 parcels of 1 acre each. Ms. Nassif stated that each parcel would require 9 spaces resulting in 72 spaces for the 8 acres.

- B. **P.Z. 01-2007 Sentrus (17947 Chesterfield Airport Road):** A request for a change of zoning from "M3" Planned Industrial to "PI" Planned Industrial District for 23.45 acre tract of land located north of Chesterfield Airport Road, east of Goddard (17V520071)

Ms. Aimee Nassif, Senior Planner, stated that it had been intended to review the rezoning concurrently with the Site Development Concept Plan and Section Plan. Due to some outstanding issues, the Site Development Concept Plan and Section Plan will not be reviewed at this time.

All issues, with respect to the rezoning, have been addressed.

City Attorney Heggie proposed the following amendments to the Attachment A: (Changes in **bold**)

Section I.B.1.m.

Warehousing, storage, or wholesaling of manufactured commodities, excluding live animals, explosives, or flammable gases and liquids. **Storage of explosives is allowed as set forth in 3.a. below. The storage of explosives is permitted only on one lot, the northeast lot, Lot 4 of the Preliminary Plan/Site Development Concept Plan.**

Section I.B.3.a.

For use "m", devices that have explosives may be stored in a secure underground bunker, **30' x 20'**, constructed, secured and accessed pursuant to the Bureau of Alcohol, Tobacco, Firearms, and Explosives regulations and requirements....

Commissioner Banks made a motion to approve P.Z. 01-2007 Sentrus (17947 Chesterfield Airport Road) with the two amendments as stated above. The motion was seconded by Commissioner Geckeler.

Commissioner Broemmer suggested that the Attachment A specify that storage of the explosive be limited to Sentrus; and that if any other explosive use is desired, it must be reviewed by the Planning Commission. City Attorney Heggie advised that such language could halt any work being done on the site in the event there a change in the control of Sentrus. The suggested language would require the owner to pursue an ordinance amendment.

Commissioner Broemmer clarified that he is interested in including language in the Attachment A that would require any other defense contractor, or any other explosive use, to be reviewed by the Commission. City Attorney Heggie pointed out that the proposed amendment, specifying the size of the bunker (30' x 20'), would only allow a certain amount of energy to be contained within it, so if there were any changes in the explosive use, it would need to be presented to the Commission. Chair Hirsch stated that there would be ATF permits on this site so if the quality or amount of energy were changed, it would require new ATF permits.

Ms. Nassif stated that the Petitioner would be agreeable to limiting the use of explosives and their storage to Sentrus or its successors.

City Attorney Heggie then proposed the following amendment to Attachment A:

Section I.B. 3.a.

For use "m", devices that have explosives may be stored in a secure underground bunker, **30' x 20', by Sentrus Government System Division, Inc. or its successors**, constructed, secured

and accessed pursuant to the Bureau of Alcohol, Tobacco, Firearms, and Explosives regulations and requirements....

As the maker of the motion, Commissioner Banks accepted the above change to the motion. Commissioner Geckeler also accepted the change.

Commissioner O'Connor stated that she would be happy if there were additional defense contractors in the Valley. She is under the assumption that there are numerous federal regulations covering explosives. She stated that if the federal government enacts more stringent requirements and decides that a bigger bunker is necessary to contain the same size explosives, it would require the Commission's review.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passed by a vote of 7 to 0.

- C. P.Z. 05-2007 Spirit of St. Louis Corporate Center (18199 and 18299 Chesterfield Airport Road):** A request for a change of zoning from "M3" Planned Industrial to "PC" Planned Commercial District for 32.2 acre tract of land located north of Chesterfield Airport Road, east of Spirit of St. Louis Boulevard. (17V420047)

Ms. Nassif stated that previously the Petitioner had been requesting an amendment to the sidewalk requirement in the Attachment A; however, this is no longer being requested.

Ms. Nassif pointed out that the petitioner's intention is to restrict the number of uses on the southern lots only, which are the lots from Chesterfield Airport Road up to 600 feet back. The rest of the requested uses would be allowed on all parts of the development. As a result, the Petitioner is requesting the following amendment to Section I.B.2. of the Attachment A:

The following uses shall be allowed in this "PC" Planned Commercial District ~~on only those lots farther than six hundred (600) of Chesterfield Airport Road~~

Discussion was held on the some of the proposed uses. The Petitioner agreed to the following amended uses in Section I.B.1. as noted below:

- g. 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.

The Petitioner agreed to the following amended uses in Section I.B.2. as noted below:

- p. 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.

The following uses were reviewed in Section I.B.1 of the Attachment A and commented upon as follows:

- j. Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods. - The Petitioner indicated that they would like to keep the use as proposed.
- l. Not more than one (1) vehicle repair facilities for automobiles.
- m. Not more than one (1) vehicle service centers for automobiles. - Commissioner Banks stated that he would like uses “l” and “m” to include language to state: “provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours”.

The following uses were reviewed in Section I.B.2 of the Attachment A and commented upon as follows:

- q. 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. - It was noted that “automatic vending machines” is also shown as an ancillary use under Section I.B.3.a. Chair Hirsch asked that the City Attorney review the language to insure that “automatic vending machines” is only allowed as an ancillary use.

Commissioner Banks made a motion to approve P.Z. 05-2007 Spirit of St. Louis Corporate Center (18199 and 18299 Chesterfield Airport Road) with the following amendments to the Attachment A.

Section I.B.1.

- g. 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

- l. Not more than one (1) vehicle repair facilities for automobiles **provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.**
- m. Not more than one (1) vehicle service centers for automobiles **provided that no automobile, truck, or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.**

Section I.B.2.

The following uses shall be allowed in this "PC" Planned Commercial District ~~on only those lots farther than six hundred (600) of Chesterfield Airport Road.~~

- p. 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.

The motion was seconded by Commissioner Perantoni.

Commissioner Geckeler requested that the motion be amended to delete "construction equipment" from use "p" above. Commissioners Banks and Perantoni agreed to the amendment to the motion.

Mr. Mike Hejna, Gundaker Commercial Group, stated that the Petitioner has already eliminated one-third of the PC uses from its request and asked the Commission to retain "construction equipment" in use "p".

Upon roll call, the vote to approve, including the deletion of "construction equipment" from use "p", was as follows:

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

Nay: None

The motion passed by a vote of 7 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS

Chair Hirsch reported on the February 22, 2007 Planning & Zoning Committee Meeting. He noted that the Committee has referred two items to the Commission for review:

- The Tree Manual – A number of technical issues have arisen that need to be changed. With the Landscape Committee's permission, Chair Hirsch is asking Staff to draft the necessary language for the Commission's review.
- E-Districts – Chair Hirsch stated that there was an extensive discussion about E-Districts by the Planning & Zoning Committee and he recommended that the Commission members review the Meeting Summary from this meeting. This matter will be referred to the Ordinance Review Committee to review such issues as:
 - The percentage of reduction in lot size to be allowed;
 - Conflicting language in the Ordinance with respect to "straight zoning" and "PEU";
 - Possibly providing a process whereby residents could, if so desired, obtain straight one-acre zoning.

Two or three meetings of the Ordinance Review Committee will be scheduled in the near future. This Committee will also be reviewing some additional chapters of the Unified Code.

XI. ADJOURNMENT

The meeting adjourned at 8:55 p.m.

David Banks, Secretary