

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
FEBRUARY 25, 2013**

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

I. ROLL CALL

PRESENT

ABSENT

Mr. Bruce DeGroot
Ms. Wendy Geckeler
Ms. Laura Lueking
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Stanley Proctor
Mr. Robert Puyear
Mr. Steven Wuennenberg
Chair Michael Watson

Mayor Bruce Geiger
Councilmember Randy Logan, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Justin Wyse, Senior Planner
Mr. John Boyer, Senior Planner
Mr. Kevin Neill, Project Planner
Ms. Purvi Patel, Project Planner
Ms. Mary Ann Madden, Recording Secretary

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

Chair Watson acknowledged the attendance of Mayor Bruce Geiger; Councilmember Randy Logan, Council Liaison; and Councilmember Connie Fults, Ward IV.

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

- A. **P.Z. 03-2013 16636 Old Chesterfield Road (Edward Struckman)**: A request for a change of zoning from “NU” Non-Urban District to “UC” Urban Core District for a 0.24 acre tract of land located on the south side of Old Chesterfield Road, approximately 250 feet west of Santa Maria Drive (17T310489).
- B. **P.Z. 04-2013 16636 Old Chesterfield Road (Edward Struckman)**: A request for a Landmark Preservation Area (LPA) Procedure for a 0.24 acre tract of land located on the south side of Old Chesterfield Road, approximately 250 feet west of Santa Maria Drive (17T310489).

STAFF PRESENTATION:

Ms. Aimee Nassif, Planning and Development Services Director gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Nassif stated the following:

- Public Hearing notification requirements were done in accordance with State statute and City Code.
- The site was zoned “NU” Non-Urban District by St. Louis County prior to the City’s incorporation. It is part of the Burkhardt Subdivision, which was platted in two phases with the first phase platted in the late 1880’s. The subject site is Lot 5 of the Burkhardt Place Subdivision and was platted in 1915.
- Burkhardt Subdivision was placed on the National Register of Historic Places in May, 2006.
- The structure on the site was originally built in 1920 and was used as a residence until recently when purchased by the Petitioner. The site is currently vacant.
- Requested Uses:
 - Neighborhood retail establishment (*The Petitioner is envisioning an antique store or book store for the site.*)
 - Art gallery
 - Office
 - Residential, single family
- The UC district and LPA procedure both allow for a mix of residential and commercial uses.
- The Petitioner does not intend to make any exterior modifications to the site other than paving and striping for a parking area. The existing structures and elevations will remain.
- The Landmark Preservation Area (LPA) Procedure was created several years ago by the City of Chesterfield, along with the Chesterfield Historic and Landmark Preservation Committee to provide flexibility in development criteria and uses to encourage the preservation, protection and adaptive reuse of historic structures and sites. There are eight other properties in this area with the LPA status.
- City Code requires review and recommendation on the LPA request by the Chesterfield Historic and Landmark Preservation Committee (CHLPC). The CHLPC has provided a recommendation for approval, which will be included with Staff’s Vote Report.
- The City of Chesterfield Comprehensive Land Use Map delineates the subject site within the “Urban Core”, which permits *high-density residential, retail, and office* land uses.

- Issues under Review by Staff
 - Staff is working with the Petitioner on creating the Landmark Preservation Area Ordinance in order to accommodate the requested uses.
 - Staff is waiting for agency comments on the zoning request.

Commissioner Lueking asked for confirmation that the four requested uses are the only uses that would be allowed on the site and that other uses permitted under the Urban Core District would not be relevant. Ms. Nassif replied that under this application, only the four requested uses would be allowed. If additional uses are desired in the future, an Ordinance Amendment would be required.

PETITIONER'S PRESENTATION:

Mr. Eddie Struckman, 296 Brook Lane, O'Fallon, MO stated the following:

- He is the owner of the subject property at 16636 Old Chesterfield Road.
- He and his wife purchased the property because they "love this historic part of the City and the quaintness of the homes nearby."
- This is their second home in the Burkhardt area as they also own 16626 Old Chesterfield Road, which is currently being used as a piano studio and is part of the National Historic Registry.
- Regarding the subject site, they do not intend to do any construction on it other than what is being required by the City for parking.
- At this time, they are hoping to utilize the site as an upscale antique store, which they feel would fit in well with the neighborhood and would allow them to keep the uniqueness of the home intact.

Commissioner Geckeler asked how parking would be handled on the site. Mr. Struckman indicated that four parking spots are required for the site, which would be accomplished with two parking spots in the front and two parking spots at the rear of the property. Such parking is comparable to nearby commercial properties.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

Commissioner Nolan read the Closing Comments for the Public Hearings.

V. APPROVAL OF MEETING SUMMARY

Commissioner Lueking made a motion to approve the Meeting Summary of the December 10, 2012 Planning Commission Meeting. The motion was seconded by Commissioner Midgley and **passed by a voice vote of 9 to 0.**

VI. PUBLIC COMMENT

A. Chesterfield Blue Valley, Lot 2 (St. Louis Premium Outlets): Sign Package

Petitioner:

1. Mr. Steven Dworkin, Simon Property Group, 105 Eisenhower Parkway, Roseland, NJ was available for questions.
2. Mr. John Villapiano, Simon Property Group, 105 Eisenhower Parkway, Roseland, NJ stated the following:
 - Their sign package has been a work in progress for over four months and they are confident that they are installing tenant signage consistent with their internationally-known Premium Outlets brand, and consistent with the expectations of their tenants and customers.
 - They have made concessions in exchange for consideration of an overall 7.5% density of their tenant signage on all sides of the development.
 - They have ample parking on all sides of the center, which necessitates the need for signage on all entrances and all facades of the buildings.
 - They are asking for 42" sign bands along the highway. At the nearest point, they are about 500 feet from what will soon be the eastbound lane of Highway 64/40.
 - Signs are concentrated at the entrances on all sides of the development.
 - The sign package shows a box of 25' x 18' (450 sq. ft.) for the L3 wall-mounted signs, shown on two different towers; however, they are limiting themselves to a maximum of 300 sq. ft. of signage within the box. Also, the box will contain no more than four tenant signs, and no single tenant sign will be greater than 200 sq. ft., which is consistent with City code.

B. Chesterfield Blue Valley: Lots 1, 3, 4, and 5: Sign Package

Petitioner:

Mr. Dean Wolfe, 7711 Bonhomme Avenue, Clayton, MO was available for questions.

C. Chesterfield Outlets: Amended Architectural Elevations

Petitioner:

Mr. Scott McGovern, 601 E. Pratt Street, Baltimore, MD was available for questions.

D. Chesterfield Outlets: Sign Package

Petitioner:

1. Mr. Mike Doster, Doster, Ullom, Chesterfield, MO stated the following:
 - Every sign package is different and reflects the specific circumstances of each development, along with the negotiations that go on regarding each development.
 - With respect to the Taubman development, they originally proposed tall pylons along the highway as tenant identification signs. During the negotiation process,

it was determined that the pylons were not favored by the City, so the Petitioner removed them from the sign package.

- They feel the remaining proposed signage is appropriate for the size and length of the center noting that the tallest monument sign is proposed at eight feet.
- They ask that the sign package be approved this evening.

2. Mr. John Lutz, Selbert Perkins Design, 2 N. Riverside Plaza, Chicago, IL was available for questions.

E. P.Z. 13-2012 U-Gas, Inc. (17551 & 17555 Chesterfield Airport Road)

Petitioner

1. Mr. Bill Biermann, 1795 Clarkson Road, Chesterfield, MO was available for questions.
2. Mr. Rhein Dabler, Clayton Engineering, was not present when called.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

The agenda order was changed to match the order of how items were voted upon in the earlier Site Plan Committee meeting.

- E. The Reserve at Chesterfield Village, Plat Three:** A Record Plat for a 6.536 acre lot of land zoned "R5" and "FPR5" Residence District with a "PEU" Planned Environment Unit located at Baxter Road southeast of the intersection with Wild Horse Creek Road.

Commissioner DeGroot, representing the Site Plan Committee, made a motion recommending approval of the Record Plat for The Reserve at Chesterfield Village, Plat Three. The motion was seconded by Commissioner Nolan and **passed** by a voice vote of 9 to 0.

- A. Chesterfield Blue Valley, Lot 2 (St. Louis Premium Outlets):** A request for a Sign Package for Lot 2 of the Chesterfield Blue Valley development to establish sign criteria for the St. Louis Premium Outlets development.

Commissioner DeGroot, representing the Site Plan Committee, made a motion recommending approval of the Sign Package for Chesterfield Blue Valley, Lot 2 (St. Louis Premium Outlets). The motion was seconded by Commissioner Lueking.

Upon roll call, the vote was as follows:

Aye: Commissioner Geckeler, Commissioner Lueking,
Commissioner Midgley, Commissioner Nolan,
Commissioner Proctor, Commissioner Puyear,
Commissioner Wuennenberg, Chair Watson

Nay: Commissioner DeGroot

The motion **passed** by a vote of 8 to 1.

- B. **Chesterfield Blue Valley**: A request for a Sign Package for Lots 1, 3, 4, and 5 of the Chesterfield Blue Valley development to establish sign criteria for the development.

Commissioner DeGroot, representing the Site Plan Committee, made a motion recommending approval of the Sign Package for **Chesterfield Blue Valley, Lots 1, 3, 4, and 5**. The motion was seconded by **Commissioner Geckeler**.

Commissioner Lueking asked for clarification about the window signage allowed. **Ms. Nassif** replied that the site is limited to one window sign per tenant in addition to a "Now Open" sign.

Upon roll call, the vote was as follows:

Aye: Commissioner Geckeler, Commissioner Lueking,
Commissioner Midgley, Commissioner Nolan,
Commissioner Proctor, Commissioner Puyear,
Commissioner Wuennenberg, Commissioner DeGroot,
Chair Watson

Nay: None

The motion **passed** by a vote of 9 to 0.

- C. **Chesterfield Outlets**: Amended Architectural Elevations for a 48.625 acre tract of land zoned "PC" Planned Commercial District located on the north side of N. Outer 40 Road, east of Boone's Crossing.

Commissioner DeGroot, representing the Site Plan Committee, made a motion recommending approval of the Amended Architectural Elevations for **Chesterfield Outlets** with the following amendments:

- Alternative uses prohibited
- Non-reflective paint required
- Attached lighting prohibited
- Use of guy wires prohibited

The motion was seconded by **Commissioner Wuennenberg**.

Upon roll call, the vote was as follows:

Aye: Commissioner Midgley, Commissioner Nolan,
Commissioner Proctor, Commissioner Puyear,
Commissioner Wuennenberg, Commissioner DeGroot,
Commissioner Geckeler

Nay: Commissioner Lueking, Chair Watson

The motion **passed** by a vote of 7 to 2.

- D. **Chesterfield Outlets:** A request for a Sign Package to establish sign criteria for the Chesterfield Outlets development.

Commissioner DeGroot, representing the Site Plan Committee, made a motion recommending approval of the Sign Package for **Chesterfield Outlets**. The motion was seconded by Commissioner Nolan.

DISCUSSION

Commissioner Lueking expressed concern about the 8.49% of signage being requested for only three sides of the development, and closer to the highway than the Blue Valley development, which is requesting 7.5% of signage for four sides of the development. Commissioner DeGroot indicated the same concern and noted that Taubman chose the location for its development and the visibility limitations that go along with it for their signage.

Commissioner Lueking feels that the requested 15% of signage facing Highway 40 is too much. She would like the development limited to 7.5%.

Commissioner Proctor disagreed with limiting the signage to 7.5% because the Petitioner has stated that they have removed previously-proposed stylon signs from their sign package after negotiations with Staff. In addition, the Mayor had indicated that after visiting another Taubman site in Auburn Hills, he thought the signage there was not a basis for concern.

Mayor Geiger then clarified that his comment made in the earlier Site Plan Committee Meeting addressed Councilmember Logan's concern about a straight line of signage – he did not mean to imply that he doesn't have any concerns about the percentage of signage being proposed.

Ms. Nassif further clarified that Staff has had several discussions with the Applicants regarding their sign package and some signage was removed after Staff expressed concern after review against the City Code and Comprehensive Plan. Staff provides a recommendation on all projects to the Planning Commission; but does not have the authority to formally approve or deny this sign package or the sign package for Blue Valley or any development project that requires Planning Commission review.

Councilmember Logan stated that the comment he made in the Site Plan Committee Meeting related to his concern about having signage that consisted of one long word along the side of a building. He asked if it would be possible to stipulate in the Sign Package that there be a minimum gap between each sign. Ms. Nassif indicated that such a stipulation could be included.

Commissioner Wuennenberg pointed out that there are no freestanding multi-tenant signs being requested similar to the signs seen in The Commons. He also noted that the Blue Valley development has bigger towers thus having more mass for signage.

Commissioner Lueking then pointed out that Blue Valley is limiting signage on the towers to no more than four signs.

Mr. Doster indicated his agreement with Ms. Nassif's comment that Staff does not have the authority to approve sign packages. When he refers to *negotiations with Staff*, he is referring to discussions wherein Staff indicates what they will and won't support. The original sign package included tall pylons but Staff made it very clear that they would not support such signage as they felt it was not in keeping with the Comprehensive Plan. Consequently, the pylons were removed and in exchange for that, they are requesting larger signs along the south face of the development.

To address Councilmember Logan's concern, Mr. Doster stated that they can agree to a condition to maintain at least a five-foot gap between signs along the bands on the south façade of the building.

Commissioners DeGroot and Geckeler indicated that they still had concerns about the percentages being requested. Commissioner Geckeler added her concern that whatever is approved will be setting a precedent for future developments.

Commissioner DeGroot asked if there are any time constraints connected with this petition. Mr. Doster replied that they are under time constraints to order the fabrication of the signage to meet the scheduled opening in August.

Mr. Doster also pointed out that if there is a five-foot gap between every sign, he feels that the concern about the percentage coverage will be alleviated because such a stipulation would decrease the percentage significantly. He noted that 15% is the maximum size of the band and every square inch of the band would have to be occupied to meet the 15%, which he does not think would ever happen.

Mr. Wyse reminded the Commission that the site is not restricted to being an outlet mall. The site could change in the future and the sign package will stay in place so the sign package should fit the development of the site – not just the development for an outlet mall.

Commissioner Lueking repeated her concern about the amount of signage being requested (8.49%) on three sides of a building compared to the Blue Valley development (7.5%) on four sides of a building.

Councilmember Logan asked where in the sign package it is stipulated that the band of signs running along the building is restricted to three-feet in height. Mr. Wyse pointed out that the sign package includes images that depict it as three feet in height and those images would be approved as part of the approval process.

After consultation with the Petitioner, Mr. Doster stated that with a five-foot gap between signs they will not need 8.49% for the entire development. Consequently they can accept a limitation of 7.5% for the total wall sign coverage area for all four sides of the development, along with a five-foot minimum gap between signs.

Commissioner Lueking then made a motion to amend the original motion that the total wall signage on all facades not exceed 7.5%. Commissioner Geckeler seconded the motion.

DISCUSSION ON THE MOTION

Commissioner DeGroot asked Commissioner Lueking whether she wanted the motion to include a five-foot gap between signs. Commissioner Lueking felt it was not necessary.

Commissioners DeGroot and Nolan then accepted the amendment to the original motion.

Upon roll call, the vote was as follows:

Aye: Commissioner Midgley, Commissioner Nolan,
Commissioner Puyear, Commissioner Wuennenberg,
Commissioner DeGroot, Commissioner Geckeler,
Commissioner Lueking, Chair Watson

Nay: Commissioner Proctor,

The motion passed by a vote of 8 to 1.

VIII. OLD BUSINESS

- A. **P.Z. 13-2012 U-Gas, Inc. (17551 & 17555 Chesterfield Airport Road)**: A request for an amendment to City of Chesterfield Ordinance 2379 for modifications to permitted uses and development standards for a 2.31 acre tract of land located on Chesterfield Airport Road, approximately 100 feet east of Long Road (17U140263, 17U140203).

Project Planner Kevin Neill stated that the Petitioner is proposing to develop a filling station with convenience store, pump stations, car wash and fast-food restaurant with drive-thru window.

A Public Hearing was held on November 26, 2012 at which time several issues were raised. In addition, one comment letter was received after the Public Hearing. The issues raised relate to land uses and traffic as noted below:

Uses

Concern was expressed about the number of drive-thru uses being requested as it was felt they could negatively impact internal circulation on the site. The five drive-uses being requested are *car wash; coffee shop, drive thru; dry cleaning establishment, drive thru; financial institution, drive thru; and restaurant, with drive thru window*. To mitigate this issue, drive-thru uses have been limited to one drive-thru car wash and one additional drive-thru use at any given time.

A check cashing facility use is also being requested. While not a component of the Petitioner's proposal for the site, the use is being requested to provide future development options. If developed as a principal use on the site, it may have negative impacts on surrounding land uses. Staff recommends categorizing the "check cashing facility" use as an ancillary use rather than a permitted use. This change would restrict a check cashing facility from having a separate entrance or signage, and would limit its visibility from adjacent properties and rights-of-way.

Traffic

There were general concerns about the traffic that could be generated from a filling station with convenience store and drive-thru restaurant and how it may impact the adjacent Chesterfield Airport Road, and its intersection at Long Road.

St. Louis County Department of Highways and Traffic and the City of Chesterfield have included requirements in the Attachment A to address this concern, which include: (1) the limitation of access to and from the development to a single entrance located as close to the east end of the site as practical; (2) the construction of a twelve-foot wide right-turn deceleration lane for westbound traffic heading into the site, along with a four-foot shoulder; and (3) construction of a five-foot wide sidewalk along the Chesterfield Airport Road frontage. The Developer will also be required to submit a traffic study at the time of Site Plan Review, which may identify additional roadway improvements to be constructed by the Developer prior to the issuance of occupancy permits. These requirements will insure the safety and operational efficiency of the adjacent roadway and nearby intersection.

Commissioner DeGroot asked whether there is an existing sidewalk at the site. Mr. Neill responded that there is no existing sidewalk in front of the property. Ms. Nassif added that the City requires all new developments along Chesterfield Airport Road to escrow monies or install sidewalks as appropriate.

Commissioner Wuennenberg asked where the Attachment A designates the cash checking facility as an ancillary use. Mr. Neill directed his attention to page 2, item 4. which states: *Ancillary uses for the above referenced permitted uses shall include check cashing facility.*

Ms. Nassif stated that *ancillary uses* are not allowed signage or a separate entrance, which insures that there is no visibility of this use from the outside. Commissioner Lueking asked for confirmation that this means no signage is allowed in their window. Ms. Nassif confirmed that no window signage is allowed for the ancillary use.

Chair Watson asked for clarification on the number of drive-thrus. Mr. Neill replied that there will be one drive-thru car wash and one additional window drive-thru.

Commissioner Wuennenberg made a motion to approve P.Z. 13-2012 U-Gas, Inc. (17551 & 17555 Chesterfield Airport Road). The motion was seconded by Commissioner Lueking.

Upon roll call, the vote was as follows:

Aye: Commissioner Nolan, Commissioner Proctor,
Commissioner Puyear, Commissioner Wuennenberg,
Commissioner DeGroot, Commissioner Geckeler,
Commissioner Lueking, Commissioner Midgley,
Chair Watson

Nay: None

The motion passed by a vote of 9 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:16 p.m.

Bruce DeGroot, Secretary