PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
FEBRUARY 23, 2015

The meeting was called to order at 7:05 p.m.

I. ROLL CALL

PRESENT	ABSENT
Ms. Wendy Geckeler	Ms. Amy Nolan
Ms. Merrell Hansen	
Ms. Fay Heidtbrink	
Ms. Laura Lueking	
Ms. Debbie Midgley	
Mr. Stanley Proctor	
Mr. Steven Wuennenberg	
Chair Michael Watson	

Councilmember Dan Hurt, Council Liaison
City Attorney Rob Heggie
Ms. Aimee Nassif, Planning & Development Services Director
Mr. John Boyer, Senior Planner
Mr. Jonathan Raiche, Senior Planner
Ms. Jessica Henry, 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 Councilmember Dan Hurt, Council Liaison; Councilmember Connie Fults, Ward IV; Harvey Rosenberg, Candidate for Ward I Councilmember; and Bridget Nations, Candidate for Ward II Councilmember.

Chair Watson also welcomed Brian Wolf and Matt Wolf of Troop 873, who are working on their Communications Merit Badge.

IV. PUBLIC HEARINGS – Commissioner Wuennenberg read the "Opening Comments" for the Public Hearing.

A. P.Z. 01-2015 Barat Academy Foundation (17831, 17815 & 17803 Wild Horse Creek Road): A request for a zoning map amendment from a "LLR" Large Lot Residential District and "NU" Non-Urban District to a new "LLR" Large Lot Residential District for 35.097 acres located on the north side of Wild Horse Creek Road west of its intersection of Greystone Manor Parkway and east of its intersection with Tara Oaks Drive (18V130099, 18V140098, 18V140065).

STAFF PRESENTATION:

Senior Planner Jonathan Raiche gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Raiche then provided the following information about the subject site:

Site History

The site was incorporated into the City of Chesterfield under an "NU" Non-Urban District from St. Louis County. In 1990, the residential home at 17803 Wild Horse Creek Road *(Parcel 2)* received a Conditional Use Permit permitting the bulk sale of sand, gravel, mulch, railroad ties, and similar materials. This permit is still active.

In 1995, Gateway Academy performed a boundary adjustment to acquire approximately 10 acres from the property at 17803 Wild Horse Creek Road. The resulting 31 acres were zoned "LLR" Large Lot Residential in 1999 by Gateway Academy and in 2011, Barat Academy moved into the property.

Mr. Raiche pointed out that the Large Lot Residential zoning is a straight zoning district and presented the following table comparing Straight Zoning to a Planned District.

Straight Zoning/ As-of-right Zoning	Planned District Zoning
Must meet all development criteria and requirements *(e.g. setbacks, lot area, building height).*	Flexibility to density requirements and development standards *(e.g. setbacks, lot area, building height).*
No flexibility to standards mentioned above.	Requires exceptional design or similar benefits in exchange for flexibility.
Pre-determined list of permitted uses.	Custom list of uses selected from a larger "master list".

Permitted Uses for Large Lot Residential

If approved, the zoning will permit the following uses, in addition to accessory uses:

1. Single-family detached residential*
2. Public safety facilities*
3. Churches and other places of worship
4. Farming*
5. Home Occupation*
6. Livestock and stables*
7. Parks*
8. Wildlife reservation, forest and conservation project*
9. College/University
10. Primary school
11. Secondary school
12. Kindergarten, Nursery School
13. Public Facilities*

* Parcel 2 *(17803 Wild Horse Creek Road)* is limited to the asterisked uses because the parcel does not have an adequate size for the other uses.

The following table outlines the Development Requirements for Large Lot Residential Zoning:

Minimum Setback Requirements (*UDC Sec. 03-03)*	75' from right-of-way. 50' from property lines.
Minimum Lot Area Requirements *(UDC Sec 03-03)*	Various uses require 3, 5, 10+ Acre lots.
Architectural Review Design Standards *(UDC Sec. 04-01)*	Use of compatible colors, materials and detailing on buildings. Use of durable materials. Compatible size, proportion, design and orientation of buildings.
Tree Preservation & Landscape Requirements *(UDC Sec. 04-02)*	A minimum 30% of any wooded area shall be maintained. Minimum 30' buffer along Wild Horse Creek Road. Minimum 20' buffer along district boundary.
Lighting Standards *(UDC Sec. 04-03)*	Parking lighting shall not exceed 20 feet for mounting height,
Parking Standards *(UDC Sec. 04-04)*	Secondary School: 1 space per 4 students of driving age.
Sign Requirements *(UDC Sec. 04-05)*	Accessory signage permitted up to 4 sq. ft.
Driveway Location and Design Standards *(UDC Sec. 04-10)*	Adjacent Drive Spacing. Opposite Drive Spacing.

The Comprehensive Plan designates the subject site as *Residential Single Family – attached/detached*

Mr. Raiche stated that the Petitioner is requesting the rezoning to allow for the use of the residence at 17803 Wild Horse Creek Road as a dormitory use accessory to the existing school. If the *school use* ceases, the dormitory accessory use would not be permitted. Further, any new development would be reviewed against the development criteria noted in the table above.

PETITIONER'S PRESENTATION:

1. Ms. Debby Watson, Barat Academy Foundation, 17815 Wild Horse Creek Road, Chesterfield, MO.

Ms. Watson stated that Barat Academy is the only private, independent high school in Chesterfield and through their service learning program, they hope to give back to the Chesterfield community. Barat offers single-gender education on a co-educational basis and was founded in the traditions of Sacred Heart education. Their current enrollment represents 20 different zip codes. They ask for the Commission's support in the rezoning request to allow an accessory dormitory use in the building at 17803 Wild Horse Creek Road.

(Ms. Watson tried to present a video describing Barat Academy but due to technical difficulties, the entire video was unable to be viewed. Below is a link to the video in its entirety.)
https://www.youtube.com/watch?v=KX5AhjWFDyA

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

Commissioner Wuennenberg read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING SUMMARY

Commissioner Wuennenberg made a motion to approve the Meeting Summary of the January 26, 2015 Planning Commission Meeting. The motion was seconded by Commissioner Proctor and **passed by a voice vote of 8 to 0**.

VI. PUBLIC COMMENT

A. Chesterfield Outlets (H&M) 3rd AAE

1. Mr. John Eggert, Development Director with the Taubman Company, representing the Petitioner, 200 East Long Lake Road, Bloomfield Hills, MI.

Mr. Eggert noted that question was raised in the earlier Site Plan Committee Meeting regarding the lumens on the lighting and reported that the lumen level is 2,685 per fixture. They met with the Architectural Review Board (ARB) last fall where a number of recommendations were made and substantial changes have been made in response to those recommendations. Staff is recommending approval, along with the ARB Chair who has reviewed the revised elevations.

B. Four Seasons Plaza West

1. Mr. Chris Lamprecht, Vital Signs, representing the Petitioner, 4628 House Springs Center, House Springs, MO.

Mr. Lamprecht stated that the Site Plan Committee had requested information about the offset from the street to the skirt of the proposed sign, which is considerably larger than the existing sign. The Petitioner would like to keep the sign in its present location because they will be using the existing pole from the current sign along with a second pole in order to support the larger proposed skirted sign. Mr. Lamprecht pointed out that the proposed sign sits back further than what is required.

Discussion

Chair Watson stated that when a car is stopped at the sidewalk, the driver cannot see to the west and asked if it would be possible to move the second pole to the south, rather than to the north. Mr. Lamprecht stated that such a move would probably require widening the entrance to the parking lot because the sign cabinet would cause a tight

turn into the lot for trucks. It was also noted that a van displaying advertising sits on the site causing traffic sight issues.

Councilmember Hurt asked for clarification on the sign ordinance with respect to allowing 100 square feet for signage. Ms. Nassif, Planning and Development Services Director explained that the City's sign ordinance allows, with Planning Commission approval, up to 100 square foot in outline area. The existing signage of 72 square feet was approved prior to the City's incorporation in 1988. She also noted that the ordinance does not address the number of tenant names on a sign.

Commissioner Lueking asked if the original sign was built to the maximum size allowed by St. Louis County. Ms. Nassif replied that it was not as she believes County's regulations at that time also allowed up to 100 square foot in outline area with Planning Commission approval. So they could have had a larger sign.

Ms. Jessica Henry, Project Planner added that Staff had researched all the archived permits for this site but was unable to locate the original sign permit.

Additional discussion took place regarding the sign location with Mr. Lamprecht noting that they would prefer not to move the two poles closer together because a larger footprint allows for better stability of the sign. Ms. Nassif then advised that the size and height of the sign are up for review and approval by the Planning Commission, but not the sign location. However, if so directed, Staff will work with the Applicant about possibly relocating the sign further outside of the sight distance triangle before any permits are approved.

Commissioner Geckeler expressed her concern about the sign being closer to the road but is agreeable to having Staff work with the Applicant to address this issue. Both she and Chair Watson noted that they have no issues with the size of the sign, only the location.

Additional discussion was held regarding the signage van sitting near the road on a continuous basis. Ms. Nassif stated that Code Enforcement will inspect the site.

Commissioner Proctor stated that because he lives in this area, he visits the shopping center a couple of times per week and has never been bothered by the existing sign when entering or existing the site, and he does not foresee any issues with the proposed sign.

C. P.Z. 17-2014 Steve W. Wallace (H.V. Real Estate Corp):

1. Mr. Mike Doster, DosterUllom, representing the Petitioner, 16090 Swingley Ridge Road, Chesterfield, MO.

Mr. Doster stated that this petition now has a new Petitioner, who is going forward with the rezoning request with only one change. The original petition included the following proposed changes:

- Elimination of the square foot limitation on the building. *This request has been removed from the revised petition as the new owner can operate within the existing footprint.*

- A change to the south setback. *This request has been removed from the revised petition.*

The new petitioner is requesting the addition of one use that would permit repair and service activities in addition to the currently-permitted oil and lube activity.

Discussion

Councilmember Hurt asked if the new requested use will affect the parking. Mr. Doster confirmed that parking will not be affected.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

A. Chesterfield Outlets (H&M) 3rd AAE: Amended Architectural Elevations and Architect's Statement of Design for a 48.625 acre tract of land zoned "PC" Planned Commercial District located on the north side of North Outer 40 Road, east of Boone's Crossing.

Commissioner Proctor reported that during the earlier Site Plan Committee meeting, the lighting plan was eliminated from the vote and asked whether the Commission wants a separate vote on the lighting.

Commissioner Lueking recommended a separate vote for the lighting considering that the Commission just received information on the lumens. She also indicated that she is not prepared to vote on the lighting at this time.

At the City Attorney's request, Ms. Nassif provided comparison information about lumen levels noting that the minimum lumens level for residential street lights is 6,800/fixture vs. 25,000 lumens/fixture for commercial street lighting. The Applicant's proposed lighting is 2,685 lumens/fixture. It was confirmed that the other stores in the outlet mall do not have the band of lighting that is being requested by H&M.

Commissioner Geckeler expressed concern about the requested color change and concern that the entire Architectural Review Board had not had the opportunity to vote on the amended elevations. She asked if the elevations and lighting could be returned to the ARB for review and recommendation. Ms. Nassif stated that the Commission could request that the ARB review the new proposal.

Commissioner Geckeler made a motion to hold the 3rd Amended Architectural Elevations and lighting for Chesterfield Outlets (H&M) until reviewed by the Architectural Review Board. The motion was seconded by Commissioner Wuennenberg.

Upon roll call, the vote was as follows:

Aye: Commissioner Geckeler, Commissioner Hansen, Commissioner Heidtbrink, Commissioner Lueking, Commissioner Midgley, Commissioner Proctor, Commissioner Wuennenberg, Chair Watson

Nay: None

The motion passed by a vote of 8 to 0.

B. **Four Seasons Plaza West:** A request for one freestanding sign exceeding six (6) feet in height and/or fifty (50) square feet in outline area located within the Four Seasons Plaza West Commercial Development (16Q230260).

Commissioner Proctor, representing the Site Plan Committee, made a motion recommending approval of the freestanding sign for Four Seasons Plaza West. The motion was seconded by Commissioner Wuennenberg.

Discussion on the Motion

Commissioner Lueking referred to the earlier discussion with respect to Staff working with the Applicant on the location of the sign and asked for confirmation that this will be carried out. Ms. Nassif replied that she is clear on the direction from the Commission and that Staff will work with the Applicant to determine if the sign can be moved further back from the road before final approval is granted. She will also provide an update to the Commission on the situation.

The motion to approve passed by a voice vote of 8 to 0.

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C. **Wildhorse Baxter Center (P.Z. 26-2008 Time Extension):** A request for a twenty-four (24) month extension of time to submit a Site Development Plan for a 3.038 and a 10.895 acre tract of land zoned "C8" Planned Commercial District located on the southwest and southeast corners respectively of the Baxter Road and Wild Horse Creek Road intersection.

Commissioner Proctor reported that the Site Plan Committee did not have time to discuss the requested time extension and asked Ms. Henry to make her presentation.

Ms. Jessica Henry, Project Planner stated that the request is for a two-year time extension to submit a Site Development Plan for two parcels known as C-119 and C-148 of Chesterfield Village. This project received a two-year time extension in February 2011 and again in March 2013. The property owner has indicated that there are no plans to develop at this time.

The current time extension expires March 11, 2015 and if the request is approved, the time extension will be granted until March 11, 2017.

Commissioner Proctor made a motion recommending approval of a 24-month Time Extension to submit a Site Development Plan for Wildhorse Baxter Center. The motion was seconded by Commissioner Geckeler and **passed by a voice vote of 8 to 0**.

VIII. OLD BUSINESS

A. **P.Z. 17-2014 Steve W. Wallace (H.V. Real Estate Corp)**: A request for an amendment to Ordinance 1328 to modify development conditions and add uses for a 2.93 acre tract of land, more or less, zoned "C-8" Planned Commercial located southeast of the intersection of Chesterfield Airport Road and Long Road (17U140441, 17U140450, 17U140461, and 17U140472).

Senior Planner John Boyer stated the petition is being presented for an Issues Meeting following the Public Hearing of January 12, 2015. He noted that the petition has changed since the Staff Report was prepared. At this time, Staff has not had the opportunity to fully review the new request; however all the issues identified at the Public Hearing regarding open space, setbacks, and intensity of uses are no longer applicable to the new petition. The only change now being requested is the addition of the use for vehicle repair. If the vehicle repair use is approved, the parking requirements will be met.

Commissioner Hansen inquired as to the placement of vehicles needing repair. Mr. Boyer stated Staff recommends that limitations be included in the ordinance with respect to where vehicles needing repair will be stored and that screening of the vehicles be provided. After consulting with Mr. Doster, Mr. Boyer stated the Petitioner is in agreement with the Attachment A requirements regarding vehicle repair.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:55 p.m.

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Steve Wuennenberg, Secretary