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Planning Commission Staff Report

Meeting Date: June 11, 2018

Cassie Harashe, Project Planner From:

Location: Southern corner of the intersection of Clarkson Road and Clarkson Woods Drive

Petition: P.Z. 22-2017 Clarkson Center (2264 Clarkson Road): A request for a zoning map

> amendment from a "R2" Residence District (15,000 square foot minimum) and "C-8" Planned Commercial to a "PC" Planned Commercial District for 0.9 acres located on the southern corner of the intersection of Clarkson Road and Clarkson

Woods Drive. (20T610716).

SUMMARY

Douglas Steven Pernikoff is requesting a zoning map amendment from the City of Chesterfield to change the zoning of a tract of land currently zoned "R2" Residence District (15,000 square foot minimum) to a "PC" Planned Commercial District. The new "PC" Planned Commercial District would allow for development of an office building and define development criteria for the site.



Figure 1: Subject Site Aerial

SITE HISTORY

In 1972 the subject property, the Clarkson Wilson center to the south, and the Clarkson Woods Subdivision were all zoned simultaneously at the request of the property owner through a series of three zoning petitions. First, the 143 combined acres were zoned "R2" Residence District by St. Louis County Ordinance 6226. Secondly, St. Louis County Ordinance 6227 zoned the Clarkson Wilson Center to "C-8" Planned Commercial District. Finally, St. Louis County Ordinance 6228 approved a Planned Environmental Unit; however, Clarkson Woods was never developed under the Planned Environmental Unit permit—essentially abandoning ordinance 6228—and was instead developed under St. Louis County's *Density Development Procedure*, leaving the subdivision and subject property with the "R-2" zoning designation and Clarkson Wilson Center with the "C-8" designation. However, during platting, the subject site was omitted and therefore never became a part of the Clarkson Woods Subdivision, resulting in the additional small area of ground which is located between the Clarkson Woods subdivision and Clarkson Wilson Center commercial development. Eventually, the larger Clarkson Center lot was platted to create two separate legal lots. An excerpt from that plat is shown below, with the subject site now being known as Lot 2, shown with the label Future Development Proposed, of the Clarkson Centre Subdivision in Figure 2.

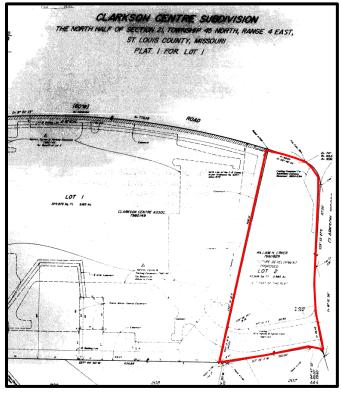


Figure 2: Clarkson Center Plat

Finally, it should be noted that there is an offset between the subject property's boundary lines and the zoning designation limits which were established via legal description in 1972. As a result, the split between the original commercial and residential zoning bisects the subject property, rather than lining

up with the parcel boundaries. As discussed further in this report, the subject property is within the Comprehensive Plan's Single Family Residential land use designation.

In 2001, a Zoning Map Amendment Petition was filed to change the zoning from the "R2" Residence District to a "PC" Planned Commercial District, however no action was ever taken on the request and the subject site remains vacant.

SURROUNDING LAND USES

The land use and zoning for the properties surrounding this parcel are as follows:

Direction	Zoning	Land Use
North 8	"R2" Residence District (15,000 sq. ft.)	Detached single family residences within the
East		Clarkson Woods Subdivision
South	"PC" Planned Commercial District	Clarkson Wilson Shopping and Retail Center
West	"R1" Residence District	Buchholz Mortuary

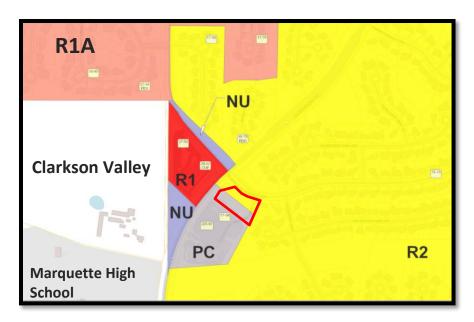


Figure 3: Surrounding Zoning

COMPREHENSIVE PLAN ANALYSIS

The subject site is located within Ward 4 of the City of Chesterfield. The City of Chesterfield Land Use Plan places this parcel within the Residential Single Family land use category. Accordingly, the Petitioner's request to establish a Planned Commercial District is in conflict with the Comprehensive Plan's land use designation. The Petitioner is aware of this conflict and is amenable to restrictions within the site specific ordinance to develop the subject site in a manner that is compatible with the adjacent residential subdivision and preserves the neighborhood character. For example, a limited number of low intensity uses are being requested, and these uses would be subject to restricted hours of operation. Additionally, the architectural character of the building would feature residential design and materials, serving as a transition between the single-family homes to the north and retail strip center to the south.



Figure 4: Comprehensive Land Use Plan

STAFF ANAYLSIS

A Public Hearing was held at the February 12, 2018 City of Chesterfield Planning Commission meeting. Following the Public Hearing, Staff sent a comment letter to the Petitioner requesting additional information and clarification on several items that were discussed at the Public Hearing. A summary of the issues is presented below. A formal response from the Petitioner to each of the issues is attached to this report.

1. Requested Uses

The Petitioner originally requested ten uses. There were concerns from the public and the Commission regarding several uses. The Petitioner has since reduced the list of requested uses to four: Office-Dental, Office-Medical, Office-General, and Veterinary Clinic. All retail components have been removed from the request.

2. Tree Preservation

Concerns were raised over the potential removal of a tree off-site. The Petitioner has stated in his response letter that no trees off-site will be removed. A Tree Protection Plan would be required with any Site Development Plan presented for this site. Staff would review this plan to ensure no off-site tree removal was performed without necessary approvals from other property owners.

3. Parking and Traffic Concerns

There were several concerns raised regarding the traffic and parking. The Petitioner has clarified the building will have a footprint of 7,644 square feet. The building will have a basement that will not be occupiable tenant space, which will bring the total square footage of the building to 12,000 square feet.

However the Unified Development Code states the parking requirements shall be calculated per the Gross Floor Area, which is the sum of the gross horizontal area of all floors of a building, including basement areas, as measured from the interior perimeter of exterior walls. As such, the parking regulations for this development will require, at minimum, between 3.3 and 4 parking spaces per 1,000 square feet of gross floor area. This calculation creates a minimum of 38 spaces and a maximum of 47 spaces.

The Petitioner will either need to reconfigure the parking layout to conform, or revise the square footage of the building. The applicant has stated in his response letter that he can design the building with or without a basement. If the applicant reduces the size of or eliminates the basement portion of the building, the Petitioner will be able to comply with the parking regulations of the Unified Development Code. The Unified Development Code and Attachment A have minimum open space requirements, stormwater management standards, and landscaping requirements the Site Development Plan will have to comply with in addition to parking standards. Ultimately, these development standards and the available space on the lot will limit the building size. The Petitioner may have to make the building smaller in order to fully comply with all development standards.

There were several concerns regarding the flow of traffic past this site on the existing drive aisle. The Petitioner stated he was amenable to adding traffic control measures as necessary, and has added a stop sign at the intersection of the drive aisle and Clarkson Woods Drive to the Preliminary Plan.

4. Noise

Noise generated from the veterinary use was cited as a concern from the residents. The Petitioner was asked to supply additional information regarding noise generated from the proposed veterinary clinic use. The Petitioner has stated that pets are walked on an individual basis and no outdoor 'runs' are proposed. Additionally, the kennel use is not being requested, and therefore, only animals under the care of the veterinarian will be staying overnight.

5. Architecture

A preliminary drawing sketch of a proposed building was presented during the Public Hearing; there was significant concern regarding its ability to blend with the residential neighborhood. The Petitioner has provided a new rendering with his response letter that is more residential in character. The Preliminary Plan has section profiles for a 30' maximum building height. The rendering provided is for informational purposes to illustrate how the Petitioner plans to make the building more compatible with the adjacent residential properties. Architectural Elevations and renderings would be required as part of a Site Development Plan which would be reviewed by both the Architectural Review Board and the Planning Commission for approval.

PRELIMINARY PLAN

A zoning map amendment to a planned zoning district, such as "PC" Planned Commercial District, requires a Preliminary Development Plan which has been included in the Planning Commission's packet. Notable features of the proposal include, but are not limited to:

- Development of one single story building along the southern property line of the site with parking areas around three sides of the building.
- Request a reduction in the landscape buffer requirement along Clarkson Road and Clarkson Woods Drive from the required thirty feet (30') to fifteen feet (15') and ten feet (10'), respectively.
- Utilization of an existing drive aisle for access in and out of the site, so no new access points are required.

MODIFICATIONS

Staff identified one area of the UDC where the proposal would have difficulty in obtaining compliance. Section 31-04-02.K.2 states that a 30' wide buffer is required along collector and arterial roadways. Clarkson Road is classified as a major arterial and Clarkson Woods Drive is classified as a residential collector. As the plan is currently drawn, the petitioner is requesting a 15' parking setback along Clarkson Road and a 10' parking setback along Clarkson Woods Drive.

REQUEST

At this time, Staff has no outstanding issues Staff has completed review of this petition and all agency comments have been received. Staff requests action on P.Z. 22-2017 Clarkson Center (2264 Clarkson Road).

Attachments

- Draft Attachment A
- 2. Response Letter
- 3. Project Narrative
- 4. Tree Stand Delineation
- 5. Preliminary Development Plan
- 6. Emails from Public (links provided on the Agenda on City's website)
- cc: Justin Wyse, Director of Planning and Development Services

ATTACHMENT A

All provisions of the City of Chesterfield City Code shall apply to this development except as specifically modified herein.

I. SPECIFIC CRITERIA

A. PERMITTED USES

- 1. The uses allowed in this Planned Commercial "PC" District shall be:
 - a. Office-Dental
 - b. Office-General
 - c. Office-Medical
 - d. Veterinary Clinic
- 2. Hours of Operation.
 - a. Hours of operation for this "PC" District shall not be restricted.
- 3. Telecommunication siting permits may be issued for wireless telecommunications facilities per the requirements of the City Code.

B. FLOOR AREA, HEIGHT, BUILDING AND PARKING STRUCTURE REQUIREMENTS

- 1. Floor Area
 - a. Total building floor area shall not exceed 12,000 square feet.
- 2. Height
 - a. The maximum height of the building, exclusive of roof screening, shall not exceed 30 feet.
- 3. Building Requirements
 - a. A minimum of 35% openspace is required for each lot within this development.

C. SETBACKS

1. Structure Setbacks

No building or structure, other than: a freestanding project identification sign, light standards, or flag poles will be located within the following setbacks:

- a. 50 feet from the right-of-way of Clarkson Woods Drive.
- b. 50 feet from the western edge of the ingress/egress easement containing Clarkson Wilson Center.
- c. 10 feet from the southern boundary of the "PC" District.
- d. 75 feet from the right-of-way of Clarkson Road.
- e. 50 feet from the line labeled S 86 08' 26" E.

2. Parking Setbacks

No parking stall, loading space, internal driveway, or roadway, except points of ingress or egress, will be located within the following setbacks:

- a. 10 feet from the right-of-way of Clarkson Woods Drive.
- b. 10 feet from the western edge of the ingress/egress easement containing Clarkson Wilson Center.
- c. 10 feet from the southern boundary of the "PC" District.
- d. 15 feet from the right-of-way of Clarkson Road.
- e. 10 feet from the line labeled S 86 08' 26" E.

D. PARKING AND LOADING REQUIREMENTS

- 1. Parking and loading spaces for this development will be as required in the City of Chesterfield Code.
- 2. Parking lots shall not be used as streets.
- 3. No construction related parking shall be permitted within right of way or on any existing roadways. All construction related parking shall be confined to the development.

E. LANDSCAPE AND TREE REQUIREMENTS

The development shall adhere to the Landscape and Tree Preservation Requirements of the City of Chesterfield Code.

The following Landscape buffers shall apply:

- a. 10 feet along the right-of-way of Clarkson Woods Drive.
- b. 15 feet along the right-of-way of Clarkson Road.
- c. 10 feet along the line labeled S 86 08' 26" E.

F. SIGN REQUIREMENTS

- 1. Signs shall be permitted in accordance with the regulations of the City of Chesterfield Code or a Sign Package may be submitted for the planned district. Sign Packages shall adhere to the City Code and are reviewed and approved by the City of Chesterfield Planning Commission.
- 2. Ornamental Entrance Monument construction, if proposed, shall be reviewed by the City of Chesterfield, and/or the St. Louis County Department of Transportation (or MoDOT), for sight distance considerations prior to installation or construction.

G. LIGHT REQUIREMENTS

Provide a lighting plan and cut sheet in accordance with the City of Chesterfield Code.

H. ARCHITECTURAL

- 1. The development shall adhere to the Architectural Review Standards of the City of Chesterfield Code.
- 2. Trash enclosures: All exterior trash areas will be enclosed with a minimum six (6) foot high sight-proof enclosure complemented by adequate landscaping. The location, material, and elevation of any trash enclosures will be as approved by the City of Chesterfield on the Site Development Plan.

I. ACCESS/ACCESS MANAGEMENT

1. Access to the development shall be as shown on the Preliminary Site Plan and adequate sight distance shall be provided, as directed by the City of Chesterfield. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement and other off-site improvements may be required to provide the required sight distance.

J. PUBLIC/PRIVATE ROAD IMPROVEMENTS, INCLUDING PEDESTRIAN CIRCULATION

- 1. Any request to install a gate at the entrance to this development must be approved by the City of Chesterfield and the St. Louis County Department of Transportation and the Missouri Department of Transportation. No gate installation will be permitted on public right-of-way.
- 2. If a gate is installed on a street in this development, the streets within the development, or that portion of the development that is gated, shall be private and remain private forever.
- 3. Provide a minimum 5 foot wide sidewalk, conforming to ADA standards, along the entire Clarkson Woods Drive frontage. The sidewalk shall connect to the existing sidewalks on Clarkson Road and Clarkson Woods Drive. The sidewalk may be located within public right-of-way or on private property within a 6 foot wide sidewalk, maintenance and utility easement dedicated to the City of Chesterfield.
- 4. Provide ADA compliant pedestrian access to the site from the adjacent public sidewalks (existing or proposed).

K. TRAFFIC STUDY

1. Provide a traffic study as directed by the City of Chesterfield. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required, as long as the density of the proposed development falls within the parameters of the City's traffic model. Should the density be other than the density assumed in the model, regional issues shall be addressed as directed by the City of Chesterfield.

2. Provide a sight distance evaluation report, as required by the City of Chesterfield, for the proposed entrance onto Clarkson Woods Drive. If adequate sight distance cannot be provided at the access location, acquisition of right-of-way, reconstruction of pavement, including correction to the vertical alignment, and/or other off-site improvements shall be required, as directed by the City of Chesterfield and/or the Missouri Department of Transportation.

L. POWER OF REVIEW

Either Councilmember of the Ward where a development is proposed, the Mayor, or any two (2) City Council members may request that the plan for a development be reviewed and approved by the entire City Council. This request must be made no later than seventy-two (72) hours after Planning Commission review. The City Council will then take appropriate action relative to the proposal. The plan for a development, for purposes of this section, may include the site development plan, site development section plan, site development concept plan, landscape plan, lighting plans, architectural elevations, sign package or any amendment thereto.

M. STORM WATER

- 1. The site shall provide for the positive drainage of storm water and it shall be discharged at an adequate natural discharge point or connected to an adequate piped system.
- 2. Detention/retention and channel protection measures are to be provided in each watershed as required by the City of Chesterfield. The storm water management facilities shall be operational prior to paving of any driveways or parking areas in non-residential development or issuance of building permits exceeding sixty percent (60%) of approved dwelling units in each plat, watershed or phase of residential developments. The location and types of storm water management facilities shall be identified on the Site Development Plan(s).
- 3. Emergency overflow drainage ways to accommodate runoff from the 100-year storm event shall be provided for all storm sewers, as directed by MSD and the City of Chesterfield.
- 4. Offsite storm water shall be picked up and piped to an adequate natural discharge point. Such bypass systems must be adequately designed.
- 5. The lowest opening of all structures shall be set at least two (2) feet higher than the one hundred (100) year high water elevation in detention/retention facilities.

- 6. Locations of site features such as lakes and detention ponds must be approved by the City of Chesterfield and the Metropolitan Saint Louis Sewer District.
- 7. The receiving storm system(s) shall be evaluated to ensure adequate capacity and to ensure that the project has no negative impacts to the existing system(s).
- 8. The existing storm and sanitary sewer systems within Clarkson-Wilson Center are private. The storm sewer system was permitted and constructed prior to Metropolitan St. Louis Sewer District's stormwater jurisdiction in the area, and does not appear on Metropolitan St. Louis Sewer District's mapping records. With connections proposed into those systems, those existing sewers will need to be dedicated to Metropolitan St. Louis Sewer District as public sewers under the permitting scope for the development. As part of the dedication process, the receiving storm and sanitary sewer systems will need to be inspected and surveyed by the developer to their points of connection to Metropolitan St. Louis Sewer District's public system or natural outfall. Metropolitan St. Louis Sewer District will review the inspection and survey work. Defects that are found in those sewers will need to be corrected under the permit for this development prior to Metropolitan St. Louis Sewer District accepting them for dedication.
- 9. Detention will be required on the new development if the result of the survey work and downstream investigation would indicate that it is a contributory to an existing detention facility.

N. SANITARY SEWER

1. The existing storm and sanitary sewer systems within Clarkson-Wilson Center are private. The storm sewer system was permitted and constructed prior to Metropolitan St. Louis Sewer District's stormwater jurisdiction in the area, and does not appear on Metropolitan St. Louis Sewer District's mapping records. With connections proposed into those systems, those existing sewers will need to be dedicated to Metropolitan St. Louis Sewer District as public sewers under the permitting scope for the development. As part of the dedication process, the receiving storm and sanitary sewer systems will need to be inspected and surveyed by the developer to their points of connection to Metropolitan St. Louis Sewer District's public system or natural outfall. Metropolitan St. Louis Sewer District will review the inspection and survey work. Defects that are found in those sewers will need to be corrected under the permit for this development prior to Metropolitan St. Louis Sewer District accepting them for dedication.

- 2. Sanitary sewers shall be as approved by the City of Chesterfield and the Metropolitan St. Louis Sewer District.
- 3. The receiving sanitary sewer systems(s) shall be evaluated to ensure adequate capacity and to ensure the project has no negative impacts on the existing system.

O. GEOTECHNICAL REPORT

Prior to Site Development Plan approval, provide a geotechnical report, prepared by a registered professional engineer licensed to practice in the State of Missouri, as directed by the Department of Public Services. The report shall verify the suitability of grading and proposed improvements with soil and geologic conditions and address the existence of any potential sinkhole, ponds, dams, septic fields, etc., and recommendations for treatment. A statement of compliance, signed and sealed by the geotechnical engineer preparing the report, shall be included on all Site Development Plans and Improvement Plans.

P. MISCELLANEOUS

- 1. All utilities will be installed underground.
- 2. An opportunity for recycling will be provided. All provisions of Chapter 25, Article VII, and Section 25-122 thru Section 25-126 of the City Code shall be required where applicable.
- 3. Prior to release of occupancy permit, the developer shall cause, at his expense and prior to the recording of any plat, the reestablishment, restoration or appropriate witnessing of all Corners of the United States Public Land Survey located within, or which define or lie upon, the out boundaries of the subject tract in accordance with the Missouri Minimum Standards relating to the preservation and maintenance of the United States Public Land Survey Corners, as necessary.

II. TIME PERIOD FOR SUBMITTAL OF SITE DEVELOPMENT CONCEPT PLANS AND SITE DEVELOPMENT PLANS

- **A.** The developer shall submit a concept plan within eighteen (18) months of City Council approval of the change of zoning.
- **B.** In lieu of submitting a Site Development Concept Plan and Site Development Section Plans, the petitioner may submit a Site Development Plan for the entire development within eighteen (18) months of the date of approval of the change of zoning by the City.

- **C.** Failure to comply with these submittal requirements will result in the expiration of the change of zoning and will require a new public hearing.
- **D.** Said Plan shall be submitted in accordance with the combined requirements for Site Development Section and Concept Plans. The submission of Amended Site Development Plans by sections of this project to the Planning Commission shall be permitted if this option is utilized.
- **E.** Where due cause is shown by the developer, the City Council may extend the period to submit a Site Development Concept Plan or Site Development Plan for eighteen (18) months.

III. COMMENCEMENT OF CONSTRUCTION

- **A.** Substantial construction shall commence within two (2) years of approval of the Site Development Concept Plan or Site Development Plan, unless otherwise authorized by ordinance.
- **B.** Where due cause is shown by the developer, the City Council may extend the period to commence construction for two (2) additional years.

IV.GENERAL CRITERIA

A. SITE DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The Site Development Plan shall include, but not be limited to, the following:

- 1. Location map, north arrow, and plan scale. The scale shall be no greater than one (1) inch equals one hundred (100) feet.
- 2. Outboundary plat and legal description of property.
- 3. Density calculations.
- 4. Parking calculations. Including calculation for all off street parking spaces, required and proposed, and the number, size and location for handicap designed.
- 5. Provide openspace percentage for overall development including separate percentage for each lot on the plan.
- 6. Provide Floor Area Ratio (F.A.R.).
- 7. A note indicating all utilities will be installed underground.
- 8. A note indicating signage approval is separate process.

- 9. Depict the location of all buildings, size, including height and distance from adjacent property lines, and proposed use.
- 10. Specific structure and parking setbacks along all roadways and property lines.
- 11. Indicate location of all existing and proposed freestanding monument signs.
- 12. Zoning district lines, subdivision name, lot number, dimensions, and area, and zoning of adjacent parcels where different than site.
- 13. Floodplain boundaries.
- 14. Depict existing and proposed improvements within 150 feet of the site as directed. Improvements include, but are not limited to, roadways, driveways and walkways adjacent to and across the street from the site, significant natural features, such as wooded areas and rock formations, and other karst features that are to remain or be removed.
- 15. Depict all existing and proposed easements and rights-of-way within 150 feet of the site and all existing or proposed off-site easements and rights-of-way required for proposed improvements.
- 16. Indicate the location of the proposed storm sewers, detention basins, sanitary sewers and connection(s) to the existing systems.
- 17. Depict existing and proposed contours at intervals of not more than one (1) foot, and extending 150 feet beyond the limits of the site as directed.
- 18. Address trees and landscaping in accordance with the City of Chesterfield Code.
- 19. Comply with all preliminary plat requirements of the City of Chesterfield Subdivision Regulations per the City of Chesterfield Code.
- 20. Signed and sealed in conformance with the State of Missouri Department of Economic Development, Division of Professional Registration, Missouri Board for Architects, Professional Engineers and Land Surveyors requirements.
- 21. Provide comments/approvals from the appropriate Fire District, Monarch Levee District, Spirit of St. Louis Airport, Metropolitan St. Louis Sewer District (MSD) and the Missouri Department of Transportation.

- 22. Compliance with Sky Exposure Plane.
- 23. Compliance with the current Metropolitan Sewer District Site Guidance as adopted by the City of Chesterfield.

V. RECORDING

Within sixty (60) days of approval of any development plan by the City of Chesterfield, the approved Plan will be recorded with the St. Louis County Recorder of Deeds. Failure to do so will result in the expiration of approval of said plan and require re-approval of a plan by the Planning Commission.

VI.ENFORCEMENT

- **A.** The City of Chesterfield, Missouri will enforce the conditions of this ordinance in accordance with the Plan approved by the City of Chesterfield and the terms of this Attachment A.
- **B.** Failure to comply with any or all the conditions of this ordinance will be adequate cause for revocation of approvals/permits by reviewing Departments and Commissions.
- **C.** Non-compliance with the specific requirements and conditions set forth in this Ordinance and its attached conditions or other Ordinances of the City of Chesterfield shall constitute an ordinance violation, subject, but not limited to, the penalty provisions as set forth in the City of Chesterfield Code.
- **D.** Waiver of Notice of Violation per the City of Chesterfield Code.
- **E.** This document shall be read as a whole and any inconsistency to be integrated to carry out the overall intent of this Attachment A.



ATTACHMENT A

REZONING APPLICATION: RESPONSES TO P.Z. 22-2017

2264 CLARKSON ROAD DEVELOPMENT Presented by Douglas S Pernikoff, DVM, MBA

- Point 1. I am writing to acknowledge and accept the suggestion that I revise my intended use options, and request that the development allow for:
 - a. Medical use
 - b. Dental use
 - c. General office
 - d. Veterinary use
- Point 2. TSD. Tree B-2. After discussion with Jennifer and Cassie of P&Z, it became clear that the tree B-2 referred to was actually G-2. Further, I have NEVER intended to remove any such tree. Actually, my 'landscape design' plan calls for planting many more trees, bushes and ground plants (annual and perennial). So, again, please note that this was a mistake by folks reading the TSD plan and at this time should be considered resolved. I have included a copy of my planting design plan for your review.
- Point 3. The building, as proposed, will encompass 7000-7500 s.f. of a single story, ground level structure, with or without a basement component. The reference to my plan to build a single story 12,000 s.f. structure is incorrect. I can only presume that the potential addition of a 4500 s.f. basement may have confused residents about the total ground level square footage planned. Although the present City Code may allow for a larger building footprint, I have purposely chosen to minimize the s.f. of the building, and placed it immediately contiguous to the existing commercial building backside in a manner to hide it from view. Further, my additional plantings include a series of vertical evergreens to run along the most southwestern aspect of my property to hide the remaining face of that commercial building as it runs westward.
 - a. Our parking requirements fit the UDCPR for a 7500 s.f. building. The addition of a basement would serve for storage, mechanical & other internal use.
 - b. Ms. Yeomans, MDOT representative for West County, has provided the City a letter emphasizing that the development in question will NOT impose any undue traffic enhancement.
 - c. At the prior meeting, one of the P&Z Board members suggested a stop sign be placed at the north end of the easement road, along with a white line along the midline. I am happy to comply with this suggestion as it makes sense to add a stop exiting the commercial center.

- Point 4. I state emphatically that unless my back clinic door is left open, which would never intentionally happen to disallow client animal escapes, there is NO dog noise generated from my clinic. We walk dogs one at a time, under the direct supervision of my facilities manager, in order to avoid any potential barking events. The resident who commented on dog noise was very likely referring to barking generated by dogs kept outside in the Kennelwood back yard unit. Given that they have moved their facility across the Center, this issue should be considered resolved.
- Point 5. Appropriate building design: In the course of my first public meeting I presented a concept building design to demonstrate the quality of building that would be developed on site. Obviously, my design was considered too commercial looking for the residents of Clarkson Woods subdivision. Subsequently, I enlisted Lauren Strutman and her Architectural Design Group to help me redesign a building that appropriately complements the neighboring homes. I am including a copy of that new work Lauren has provided for your reference. The two views presented demonstrate the design without trees lining the road, while the second drawing depicts the site view with trees that already exist there. Further, I have committed to adding a limiting fence line that mirrors the Clarkson Woods fence line running along Clarkson Road. This latter action blends my development to the neighborhood and along with my existing trees and future plantings, helps to visually hide most of the parking lot proposed. [see attachment following text]

My proposed building footprint is NOT an imposition on the two homes sitting to the north of the Clarkson Woods drive, wherein existing plantings, ground topography and lower home elevations along with an existing plank fence minimizes visualization of my site. And the single home sitting immediately east along the easement drive entering into the existing commercial center is visually blocked from my site by both the north-south placement of that home with only a windowless garage facing the development site, itself further partitioned from view by another plank fence running the entire border. Berms and new plantings along both my northern and eastern property boundaries are another component of my development that I have included on behalf of the neighborhood.

- Point 6. The total acreage of the lot to include the eastern most easement road, totals 0.9 acres. My engineer, Dan Wind, explains that he rounded the number differently than did the surveyors. I have directed this query and other directly related to physical site matters to Dan.
- Point 7. I have sent a requested 'deed of trust' that verifies that I am the current owner of the 2264 Clarkson Road property. I am informed that this document has been received and the verification is duly noted!

PLEASE NOTE THAT WIND ENGINEERING HAS ADDRESSED OTHER ITEMS REFERENCING THE PRELIMINARY PLAN AS REQUESTED BY P&Z. MODIFIED SITE ENGINEERING PLANS ARE INCLUDED WITH THIS SUBMISSION.







2264 CLARKSON ROAD DEVELOPMENT- ATTACHMENT A

Submitted by Douglas S Pernikoff, DVM, MBA

To: Merrill Hansen, Committee Chair From: Douglas S Pernikoff, DVM, MBA

Re: 2264 Rezoning Submission- Modified Submission Post Public Meeting 1

Date: 5/16/2018

Ms. Harashe has mentioned to me that many letters were submitted by neighbors who were against my development. I received those letters and in summary, please note that despite my efforts for complete transparency and after offering not less than 2 formal invites for discussion, the present Trustee Board has refused to discuss my plans face to face. The letters represent approximately 25 households (husbands and wives), out of 207 in the Clarkson Woods neighborhood who write against the development. Seven unsolicited households wrote in my favor. I made a point to address any issues that the neighbors might bring up at my first public meeting power point presentation. Limited hours of service; low level, subdued lighting of the building; a program to mitigate noise and odor concerns; limiting the potential building uses that I believe best complement the area; and formal confirmation from Ms. Yeomans, the West County MODOT representative, that my development would have NO negative impact to traffic entering or exiting Clarkson Woods Drive.

Since that meeting I have revised my building design to appear very residential with the direct help from Lauren Strutman and her architectural firm. I added a limiting fence line along both the Clarkson Road and along the Clarkson Woods Drive that is a mirror image of the very fence line used to demarcate the neighborhood limits along Clarkson Road, going north of development site. This action will allow my development to appear as an integral component of the Clarkson Woods subdivision. The building has always been planned as a single story facility, although I have raised the front face of the unit to allow for natural window lighting into the building's entry points. I have also limited the building footprint to not greater than 7500 s.f. total. These choices are well within those limits defined in the City's guidelines for commercial zoning.

Arguments I have read include, to paraphrase:

- a. The size of building development will not be in keeping with the entrance to a residential area?
- A. I simply do not know what is defined as a 'building size in keeping'? I chose a footprint to fit comfortably and conform well within the building to land mass ratio required in the City planning guidelines.
- b. Having a commercial development at the entrance to our neighborhood will cause undue traffic concerns.
- A. Please find enclosed a copy of the letter from Ms. Yeomans, of MODOT clearly disputing this claim. Please note there are a total of 3 ingress/egress roads off Clarkson; and 4 ingress/egress roads off Baxter for residents and others traveling through. (see included letter & map)
- c. Having a commercial development at the entrance to our neighborhood will lower home values.
- A. The property sits at the very southwest aspect of the great majority of neighborhood homes. Only a single home is sitting immediately contiguous to the commercial easement road. It is visually protected by an existing fence line, planted trees and its own placement facing Clarkson Woods Drive with a windowless garage unit sitting closest to the fence line
- d. Dr. Pernikoff is planning to remove trees on the lot.My landscape plan adds many trees and other plantings to my lot, along with attractively planned berms.

2264 CLARKSON ROAD DEVELOPMENT- ATTACHMENT A

Submitted by Douglas S Pernikoff, DVM, MBA

- e. The building will be an 'eyesore' for the neighborhood.
- A. Together, my building and the additional plantings will completely hide viewing of the existing commercial center units that run the length of Clarkson Woods Drive.
- f. This building will be a '2 story' building, which is not allowed in this setting.
- A. This building is a one-story structure.
- g. A Council Meeting in 2011 stated that no additional pieces of property would be zoned commercial along Clarkson Road between Kehrs Mill Road and Baxter Road.
- A. I believe this statement is here-say. Please feel free to share confirmation of that claim with me.
- h. No other subdivision in the City of Chesterfield has a commercial development at its entrance. We do not want our subdivision to be a precedent setting in the area.
- A. This is not true. Further, there is only one more potential site along Clarkson to Highway 40/64 and it represents a larger acreage that is mostly a deep cut off Clarkson Road. It would prove very difficult to develop. And so, satisfying an appropriate re-zoning at 2264 Clarkson Road will not create a precedent to other site developments along Clarkson Road.
- i. It was our understanding that the site could have up to 31 parking spaces, thus making our entrance look like a used car lot.
- A. The combination of berms, plantings, existing tree line and a matching neighborhood fence line will make it difficult to see most of the lot or any cars parked there. Further, our activities will take place within normal hours of doing business in order to mitigate issues impacting homeowners.
- j. I do not want to have to drive into my neighborhood and pass a gas station...!
- A. I have accepted the limits of use for the property to only four categories as addressed by this very committee, none of which include a gas station.

There are other misrepresentations presented by the letters. I am the owner of the property, and a 24 year business owner in Chesterfield. I have no formal complaints made against my business. The neighborhood had the opportunity to acquire this property for over 30 years. To date, I have not received a single offer from the Trustees or any other person. I believe my request for re-zoning is appropriate; my plans fit well within the bounds of City guidelines; and, my project will only enhance this particular site. -I am working to create a visually pleasing; and complementary development at 2264 Clarkson Road.

Thank you for your time and attention.

Dr. Doug Pernikoff



St. Louis District Thomas K. Blair, P.E., District Engineer

Missouri Department of Transportation

1590 Woodlake Drive Chesterfield, Missouri 63017-5712 314.275.1500 Fax: 573.522.6475 1.888.ASK MODOT (275.6636)

February 26, 2018

Ms. Cassandra Harashe City of Chesterfield Planning and Zoning 690 Chesterfield Parkway W Chesterfield, MO 63017

Re:

Douglas Pernikoff, Clarkson Wilson Veterinary Clinic

Dear Ms. Harashe:

Dr. Pernikoff contacted my office last week regarding his proposal to move his clinic to the property at 2264 Clarkson Road. He intends to use the existing access drive onto Clarkson Woods Road. MoDOT does not have concerns about the traffic impacts of the use of that access drive on the state roadway.

Please let me know if you have any questions. I can be reached at 314-340-4356 or by email at karen.yeomans@modot.mo.gov.

Sincerely,

Karen Yeomans, P.E.

Area Engineer, Southwest St. Louis County

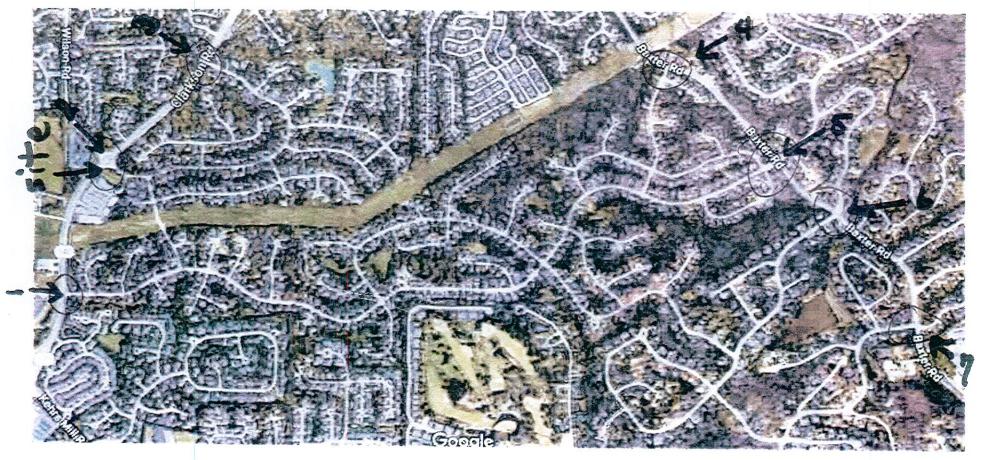
aren Grommen

Cc: Douglas Pernikoff



3/19/2018

CW3.JPG



CITY OF CHESTERFIELD: Department of Planning and Development Services CHANGE OF ZONING OR SPECIAL PROCEDURE APPLICATION.

IV. COMPREHENSIVE PLAN POLICY & LAND USE

A. Proposed Zoning District and Use are NOT consistent with existing CPLUD.

The property is presently zoned R-2. The proposed zoning is PC. This property was originally a component of that parcel developed as the contiguous Clarkson-Wilson Center. The original developer, Mr. Gene Deutsch, was unable to acquire what was originally a single parcel and thereby, separated off a parcel (now 2264 Clarkson Road), from the original planned commercial/retail tract. At that time, the property was lumped into the eventual Clarkson Woods neighborhood development and left with the R-2 designation. This site is obviously not destined for a single-family residence as described for R-2. PC district designation, defined specifically to complement the existing contiguous property uses, in concert with proposed development plans for a low density, residential 'prairie style' professional building. My commitment aligns with all Development Requirements & Design Standards set forth by the City of Chesterfield.

B. Proposed Zoning District & Use are consistent with the policies of the existing CPLUD.

As owner of the proposed development project, I am interested in providing clear and transparent actions to assure both the City and the Residents of the Clarkson Woods neighborhood that my project is in full alignment with the City's Development Requirements & Design Standards. Thereby, I intend that my development provides a positive impact for all interested parties

CITY OF CHESTERFIELD: Department of Planning and Development Services CHANGE OF ZONING OR SPECIAL PROCEDURE APPLICATION.

IX. Required Materials. Item 10. Narrative to include.

a. Project general description.

The development of 2264 Clarkson Road will result in the construction of a professional building (ie. General professional offices, medical health offices, veterinary health office, as example), as permitted under a PC District City definition. The ingress/egress path lies along an existing easement road that lies along the easternmost border of the parcel of interest. All planning and design will address the formal City guidelines/ordinances and specifically accommodate concerns of the Clarkson Woods residential neighborhood lying directly east of the development parcel.

- b. List of all requested uses directly from the proposed zoning district regulations. Per the Zoning District Regulations, the developer requests the following uses for this project development. (BOLD categories are prioritized)
 - *veterinary clinic
 - *office-dental
 - *office-general
 - *office-medical

[Alternative potential uses]

- *administrative offices
- *kindergarten or nursery school
- *art gallery & studio
- *retail sales-neighborhood/community
- *laboratory-professional/scientific
- *kindergarten/nursery school
- c. Proposed land uses & development standards, density & height limitation, yard requirements, as compatible to neighboring uses as is intent of the Comprehensive Plan. These issues are addressed within the scope of multiple site plan inclusions presented herein.
- d. List of permitted uses for each tract within the PC district.
 - Refer to those permitted uses for PC district listed above in ITEM b.
- e. Exceptions or variations from the requirement of the Zoning Ordinance, if requested. No exceptions or variations from the PC Zoning Ordinance are requested.
- Table showing the total acreage in the proposed development & % designations proposed.

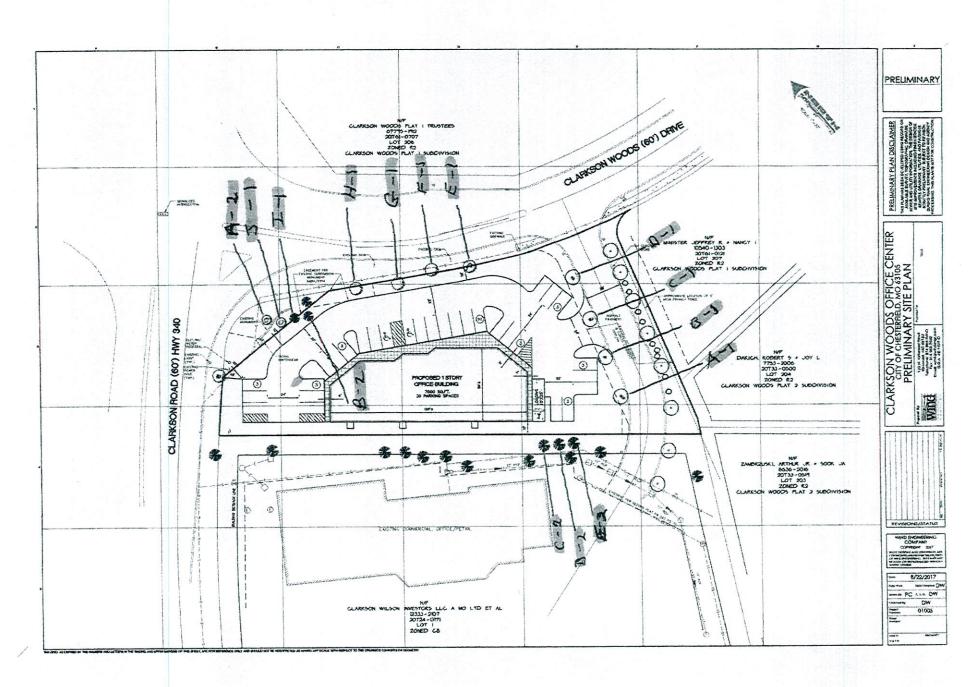
TOTAL ACREAGE

39200 S.F. (0.9 ACRE)

BUILDING AREA

7500 S.F. (0.19 maximum floor area proposed)

- g. Proposed dedication of land for public use, including streets and easements.
 - The site plan and the survey both include representation for a sidewalk located at the northeast edge of the intersection of the property and the property road easement. An extension of such sidewalk addition to the Clarkson Road corner is expected and acceptable to my development plans. Further there are two three easements associated with the property. (1) Easement road along the eastern most aspect of the property to allow ingress & egress from the Clarkson Wilson Center; (2) Easement for MODOT, as presented on the Survey, that has no impact on the development now or in the future; & an (3) Easement allowed to the Clarkson Woods Entrance Monument, again, without imposition to the development plan.
- h. Parking plans, access ways protecting adjacent areas from potential adverse effects. Parking plans, egress & ingress, and other relevant site plan engineering is included within the packet submission.
- Phased construction intent
 - Not relevant, as building construction will be completed in a single phase.
- Statement regarding landscaping & tree preservation. The landscape design plan is submitted within the packet. Please refer to IX. Item 6.





TREE STUDY-SITE PLAN REVIEW

PROPERTY LOCATION:

*TREE/LANDSCAPE LOCATIONS SHALL BE INDICATED ON SITE SURVEY (SCALED) AND ATTACHED TO THIS STUDY SHEET

List all significant trees (live, healthy trees, of a species suitable for the urban environment having a diameter of eight inches or greater) on premises, on abutting public rights-of-way, and on private

property within five feet of all property lines.

KEY TO DRAWING	TREE SPECIES	DIAMETER	SAVE YES/NO IF NO, EXPLAIN IN NOTES	PROTECTION METHODS EXPLAIN IN NOTES, PROVIDE DRAWINGS	DOLLAR VALUE FROM GUIDE FOR TREE APPRAISAL	NOTES
A -1	honey	12"	no			TBR
B -1	11	12'	no			TBR
C -1	()	(2'	no			TBR
D - 1	11	12"	no			TOR
E -1	honor	14"	Yes	fencing	24500	
F-I	honey	101	yes	fencing	1800.00	and the same of th
G-(Linden		Yes	fencing	4400.00	protect
H - 1		24"	yes	fencing		The second secon
1~1	White		yes	fencing	35000	protect
1 -1	River	1.11	no			TBR

NOTE: Public trees abutting the site shall not be removed and require tree protection fencing.

I hereby certify that I have viewed the premises and provide this professional opinion regarding the survivability of significant trees on the site and abutting the site and the appropriateness of proposed tree replacement and landscaping. Attached is a landscape plan prepared by me or under my direction.

Name/Signature/Certification/Date

---- OU14-A

** Copy this form as needed for additional trees.

TREE STUDY-SITE PLAN REVIEW



PROPERTY LOCATION:

Clarkson woods office cent

*TREE/LANDSCAPE LOCATIONS SHALL BE INDICATED ON SITE SURVEY (SCALED) AND ATTACHED TO THIS STUDY SHEET

List all significant trees (live, healthy trees, of a species suitable for the urban environment having a diameter of eight inches or greater) on premises, on abutting public rights-of-way, and on private property within five feet of all property lines.

KEY TO DRAWING	TREE SPECIES	DIAMETER	SAVE YES/NO IF NO, EXPLAIN IN NOTES	PROTECTION METHODS EXPLAIN IN NOTES, PROVIDE DRAWINGS	DOLLAR VALUE FROM GUIDE FOR TREE APPRAISAL	NOTES
A- 1	birch	20'	no			TBR
В-Д	cedar	٠٠ شي	no			TAR
C - 2	Pin	24"	Yes	fencing	600000	Protect
D - 7	White pine	17.	1(15	feneing	210000	
E-7	pine	12.	425	tencing	2(00.00	protect
F						
G						
Н						
I						
j						

NOTE: Public trees abutting the site shall not be removed and require tree protection fencing.

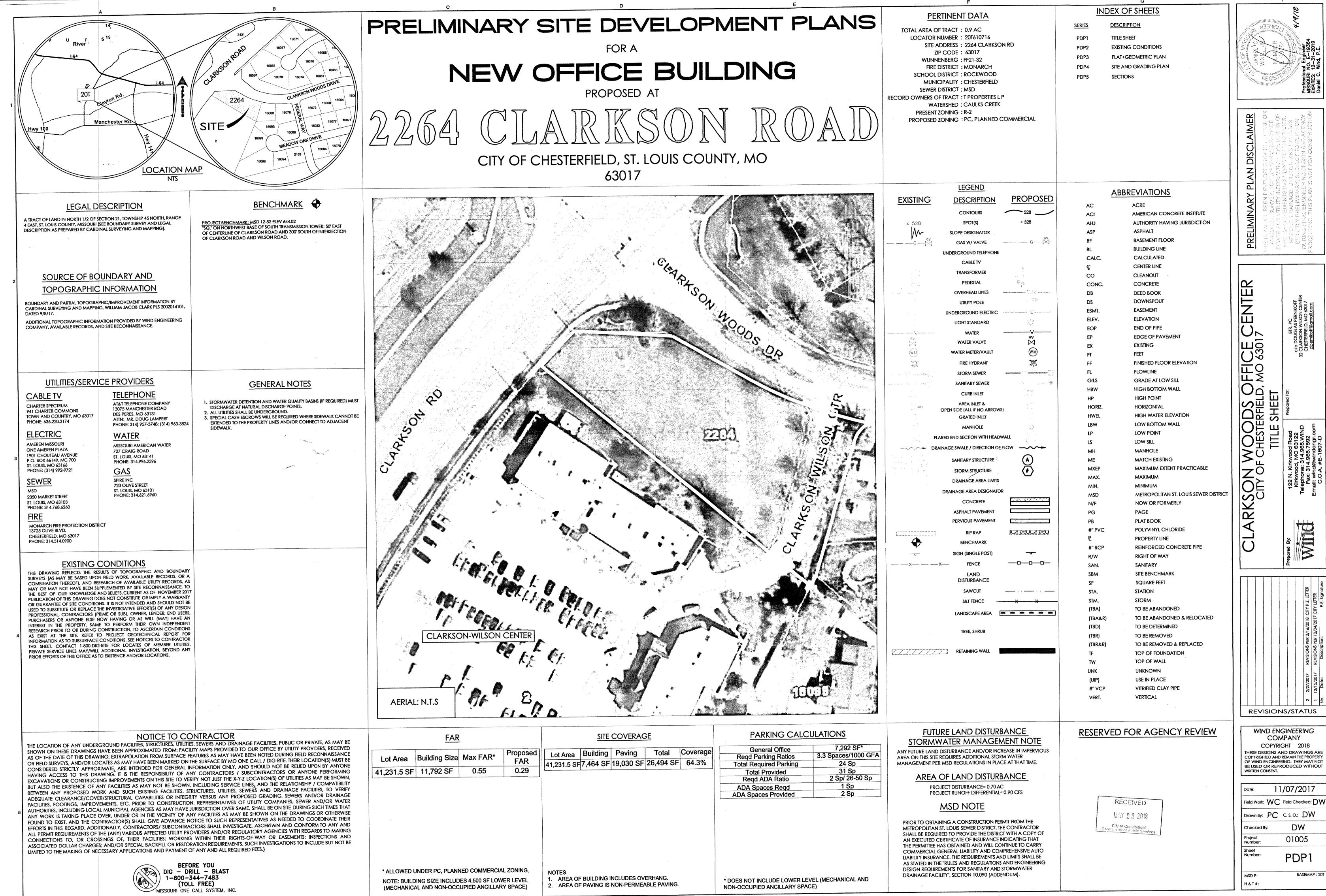
I hereby certify that I have viewed the premises and provide this professional opinion regarding the survivability of significant trees on the site and abutting the site and the appropriateness of proposec tree replacement and landscaping. Attached is a landscape plan prepared by me or under my direction.

knus A. Greene

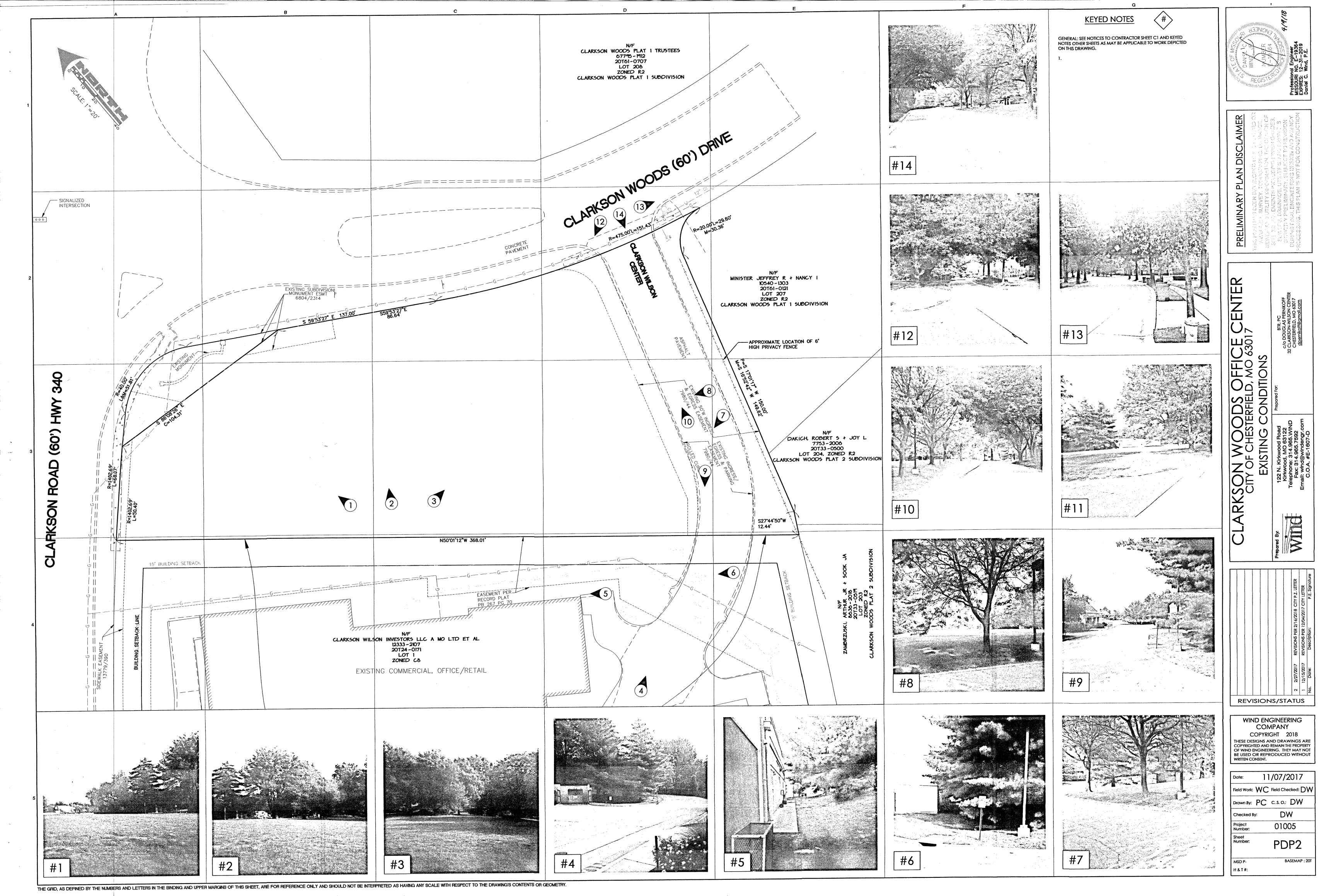
Name/Signature/Certification/Date

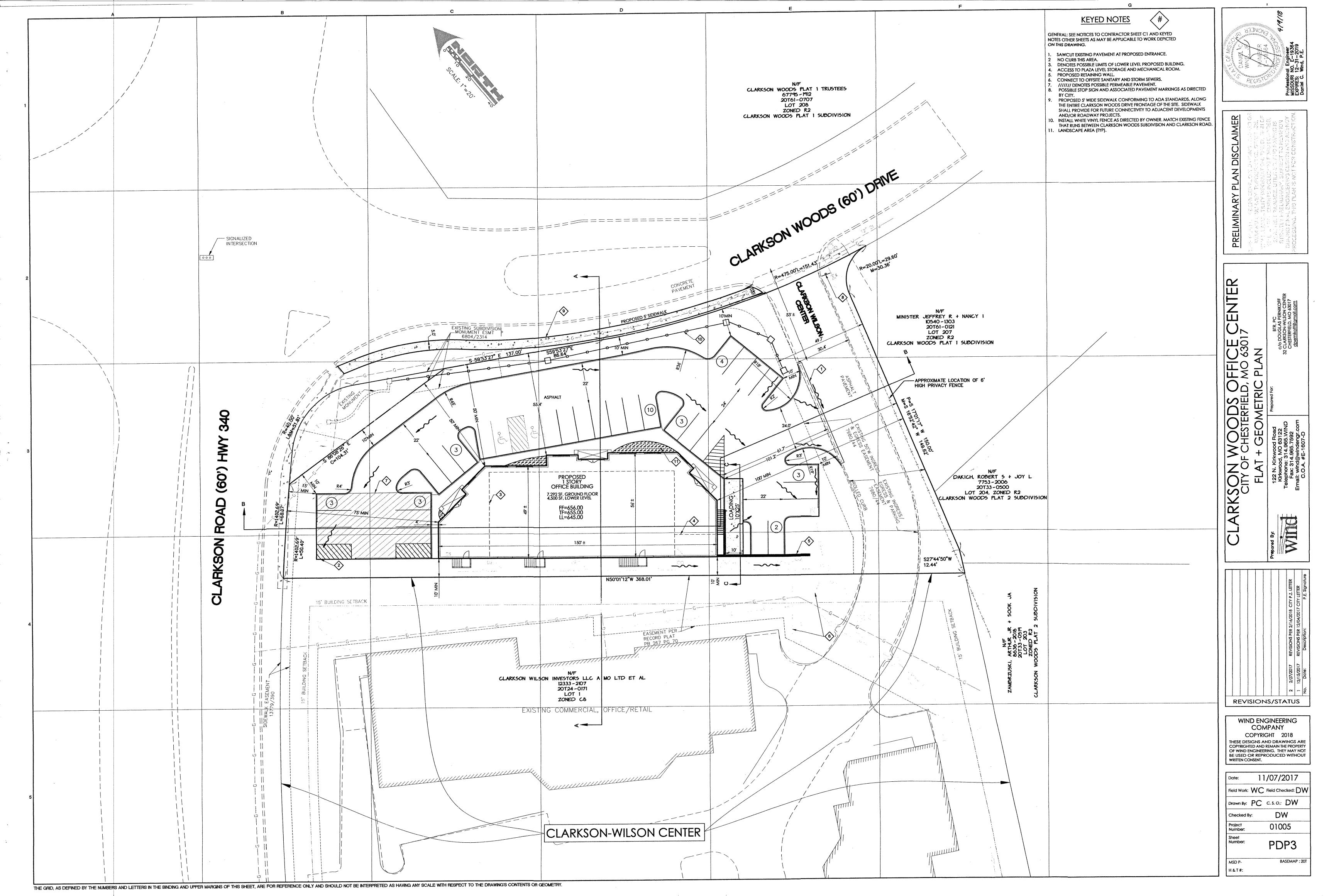
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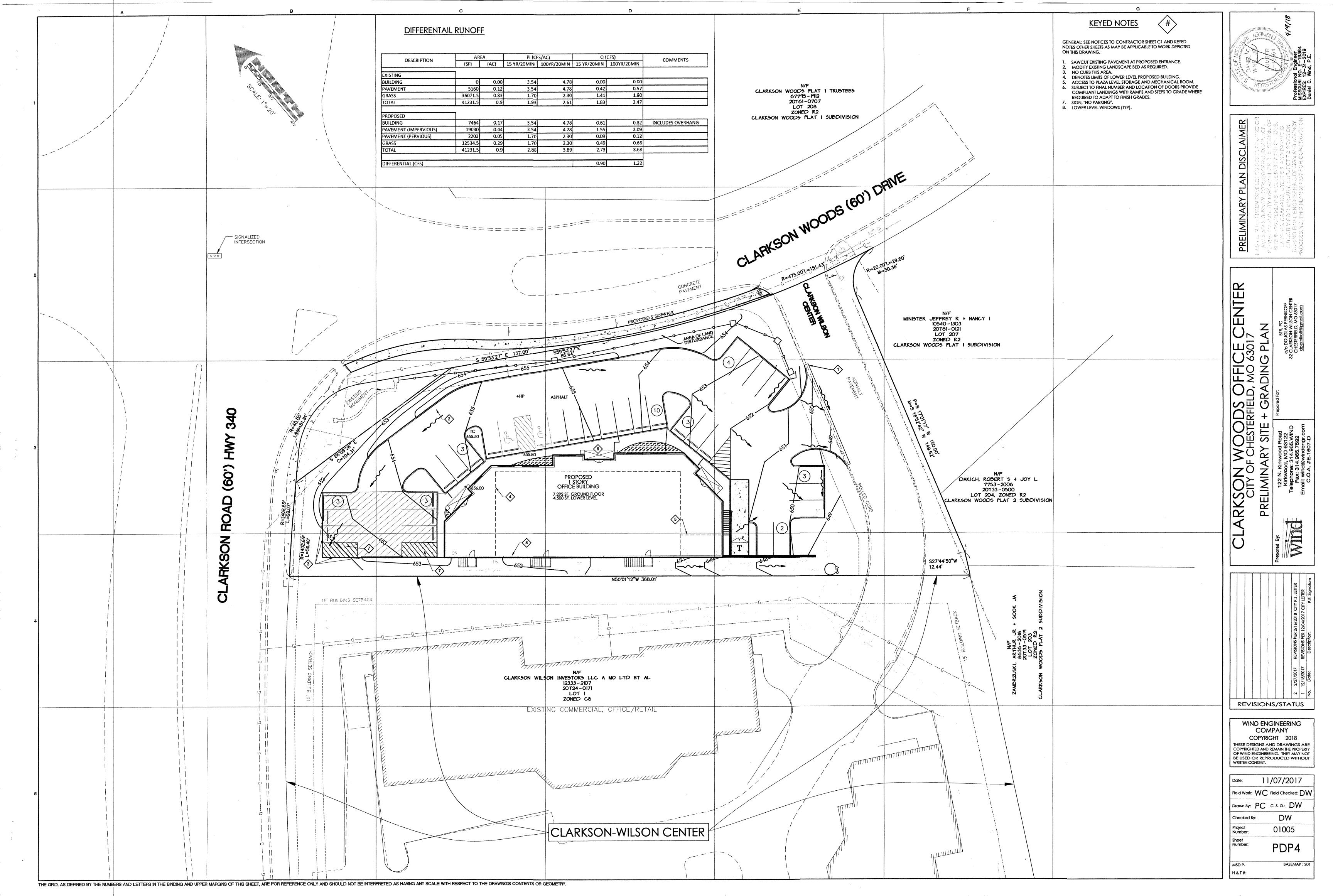
** Copy this form as needed for additional trees.

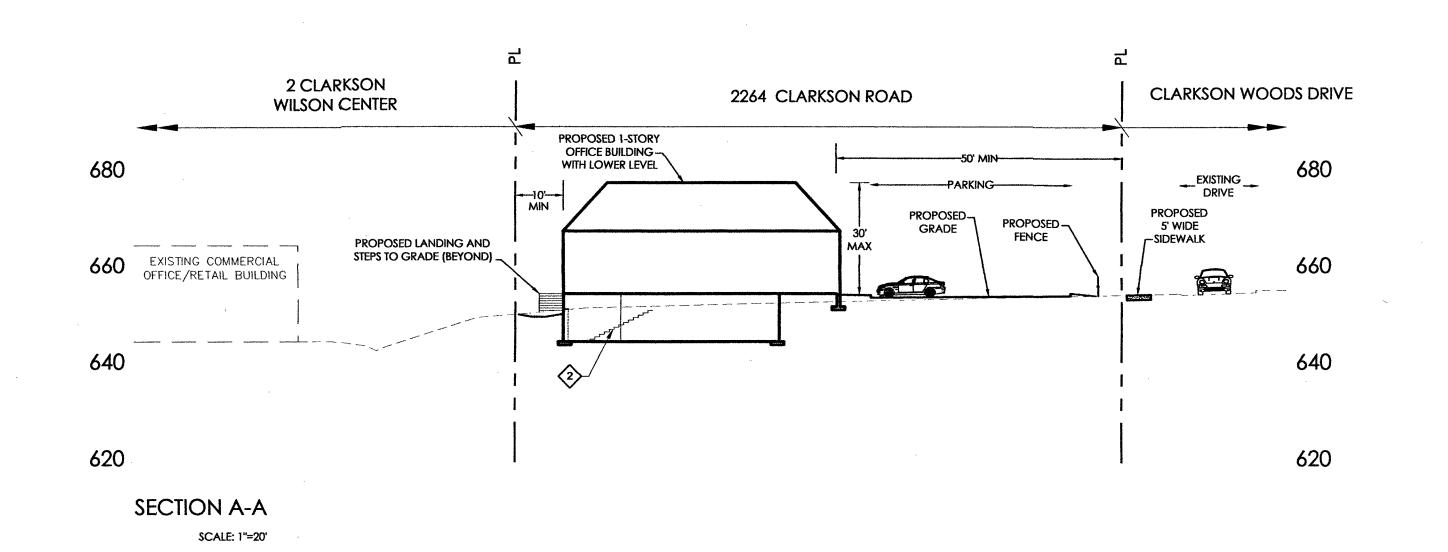


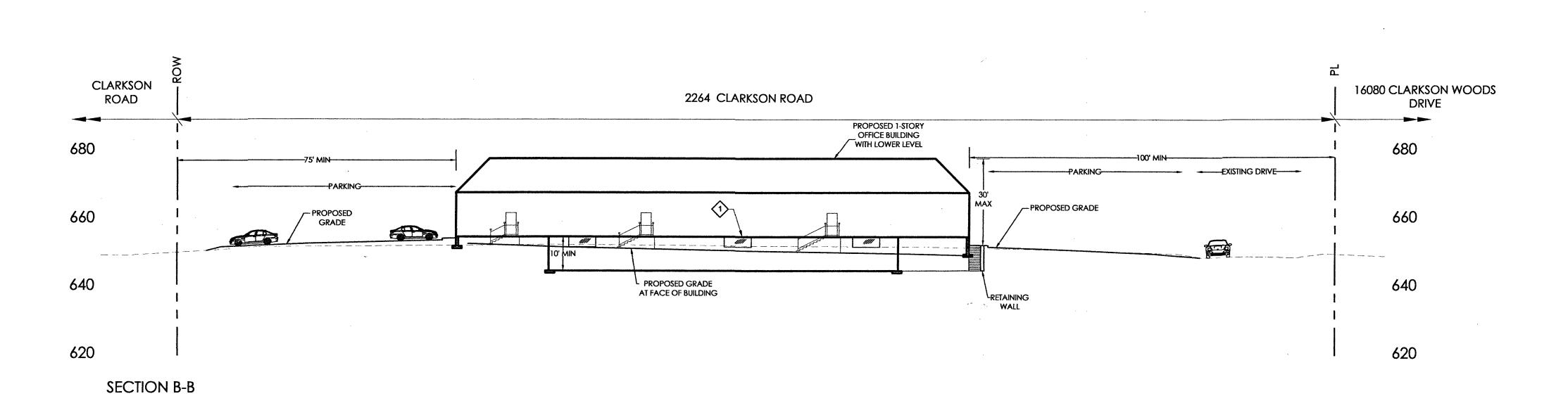
THE GRID, AS DEFINED BY THE NUMBERS AND LETTERS IN THE BINDING AND UPPER MARGINS OF THIS SHEET, ARE FOR REFERENCE ONLY AND SHOULD NOT BE INTERPRETED AS HAVING ANY SCALE WITH RESPECT TO THE DRAWING'S CONTENTS OR GEOMETRY.

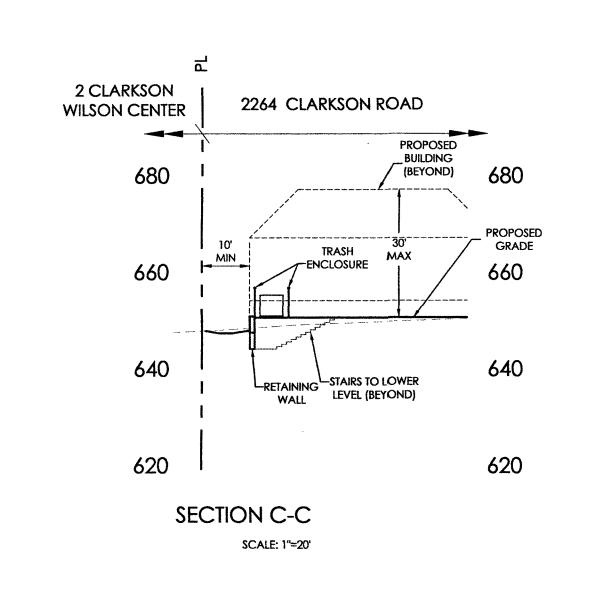












THE GRID, AS DEFINED BY THE NUMBERS AND LETTERS IN THE BINDING AND UPPER MARGINS OF THIS SHEET, ARE FOR REFERENCE ONLY AND SHOULD NOT BE INTERPRETED AS HAVING ANY SCALE WITH RESPECT TO THE DRAWING'S CONTENTS OR GEOMETRY.

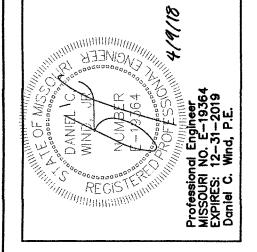
SCALE: 1"=20"

KEYED NOTES

OTES #

GENERAL: SEE NOTICES TO CONTRACTOR SHEET C1 AND KEYED NOTES OTHER SHEETS AS MAY BE APPLICABLE TO WORK DEPICTED ON THIS DRAWING.

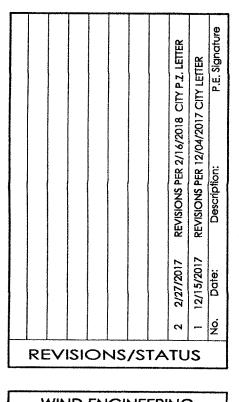
 LOWER LEVEL WINDOWS (TYP.)
 STAIRS AND ACCESS TO LOWER LEVEL AS SHOWN IS BEYOND SECTION CUT.



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CLARKSON WOODS OFFICE CENTER
CITY OF CHESTERFIELD, MO 63017
SECTIONS

Prepared By:
122 N. Kirkwood Road
Kirkwood, MO 63122
Telephone: 314.965.Wind
Fax: 314.965.Wind
Fax: 314.965.Wind



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Field Work: V	VC Field Checked: DW
Drawn By: P	C c.s.o.: DW
Checked By:	DW
Project Number:	01005
Sheet Number:	PDP5
MSD P-	BASEMAP : 20T
H&T#:	