

**PLANNING COMMISSION  
OF THE CITY OF CHESTERFIELD  
AT CHESTERFIELD CITY HALL  
AUGUST 13, 2018**

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

**I. ROLL CALL**

**PRESENT**

Commissioner Allison Harris  
Commissioner John Marino  
Commissioner Mary Monachella  
Commissioner James Rosenauer  
Commissioner Gene Schenberg  
Commissioner Guy Tilman  
Commissioner Steven Wuennenberg  
Chair Merrell Hansen

Mayor Bob Nation  
Councilmember Dan Hurt, Council Liaison  
Mr. Christopher Graville, City Attorney  
Mr. Justin Wyse, Director of Planning & Development Services  
Ms. Jessica Henry, Assistant City Planner  
Ms. Cassandra Harashe, Planner  
Mr. Mike Knight, Planner  
Ms. Mary Ann Madden, Recording Secretary

**ABSENT**

Commissioner Debbie Midgley

Also in attendance were Councilmember Barry Flachsbart, Ward I; Councilmember Mary Ann Mastorakos, Ward II; Councilmember Michael Moore, Ward III; and Councilmember Michelle Ohley, Ward IV

**II. PLEDGE OF ALLEGIANCE**

**III. SILENT PRAYER**

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

- A. **P.Z. 06-2018 Downtown Chesterfield (Stock & Associates Consulting Engineers, Inc.)**: A request to amend the legal description and development criteria for an existing “PC&R” Planned Commercial and Residence District and “NU” Non-Urban District to a “PC&R” Planned Commercial and Residence District for a 99.0 acre tract of land located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West (18S410206, 18S410240, 18S430259, 18S430248, 18T620185, 18T620174, 18T620206, 18T640271, 18T640095, 18T640204, 18T640215, 18T640260, 18T640303, 18T620064, 18T640314, 18T640259, 17T320158, 17T320169, 18T640248, 18T640237, 18T630195, 18T620053, 18T630272).

**STAFF PRESENTATION:**

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

**Site History**

In March 2008, City of Chesterfield approved Ordinance 2449 which changed the boundaries of seven districts into one 98-acre “PC&R” Planned Commercial & Residence district.

Ordinance 2449 defined development criteria into three specific categories, which had specific urban form requirements and defined specific locations north and south of Wild Horse Creek Road.

In February 2018, City of Chesterfield approved Ordinance 2990 removing 2.9 acres and adding 3.4 acres in the northwestern section of the district, which was in conjunction with the Aventura zoning.

**Comprehensive Land Use Plan – Plan Policies**

The subject site is under the Urban Core land use designation. The following three Plan Policies are relative to this zoning petition:

- Policy 1.8 Urban Core – The Urban Core should include the highest density of mixed-use development in Chesterfield, and is the physical and visual focus for the City.
- Policy 2.4 Higher Density Residential in Urban Core - New multi-family in or near Urban Core
- Policy 3.6.2 Mixed-Use Development - Horizontal and vertical integration of uses

**Request 1**

The Petitioner is requesting to incorporate and re-zone 0.4 acres from “NU” Non-Urban District to “PC&R” Planned Commercial and Residence District, which were under separate ownership at the time of the original PC&R zoning. The incorporation of the “NU” parcel would contribute to the intent and purpose of the PC&R district developing “Downtown Chesterfield”.

**Request 2**

Mr. Knight explained that currently one master Concept Plan is required for all 99 acres. The Petitioner is requesting that concept plans be submitted by Category vs. all 99 acres.

Ordinance 2944 is unique in that there are three categories (A, B, and C) with prescriptive development requirements with separate urban form characteristics and which defines specific locations to the categories:

- Categories A and B are south of Wild Horse Creek Road.
- Category C is north of Wild Horse Creek Road.

Instead of one concept plan for the entire 99 acres, this process would allow a development team the ability to provide a concept plan for the 22 acres north of Wild Horse Creek Road and a separate concept plan for the 77 acres south of Wild Horse Creek Road. It is also anticipated that such a process would facilitate phased development.

The request involves revised text to six areas of Ordinance 2449.

- Three of the revisions pertain to the plans (landscaping, signs, and lighting) whereby submittal of the plans would be by category vs. the entire development.
- The other three text amendments would keep consistency in which Time Submittal for plans would follow the same category criteria vs. the entire development language.

### **Automatic Power of Review**

Ordinance 2449 includes language for Automatic Power of Review.

## **Discussion**

### **Categories A, B, and C**

During discussion, the plan below was referenced as it depicts the three categories (A, B, and C) defined in Ordinance 2449.



### **Concept Plans**

For clarification purposes, Mr. Knight explained that the one Master Concept Plan referred to in Ordinance 2449 includes one Master Landscape Plan, one Master Sign Plan, and one Master Lighting Plan. Under the Petitioner's request, two separate Concept Plans would be required – one for Categories A & B (*south of Wild Horse Creek*

Road), and one for Category C (north of Wild Horse Creek Road.) It was noted that the Petitioner is not requesting to change any of the prescriptive design requirements of the various Categories included in Ordinance 2449.

During discussion, concern was raised that by allowing separate Concept Plans for the designated Categories, the areas could develop at different times leading to an inconsistent look. Ms. Jessica Henry, Assistant City Planner, pointed out that the Architectural Review Board, Planning Commission, and City Council would review all plans submitted for the different Categories. Such reviews would insure cohesive development of downtown Chesterfield true to the vision of the PC&R District and Ordinance 2449, which is highly-prescriptive.

Commissioner Schenberg remarked that whichever Category comes in first with its Concept Plan will be held to a very high standard, as it will set the tone for the rest of the development.

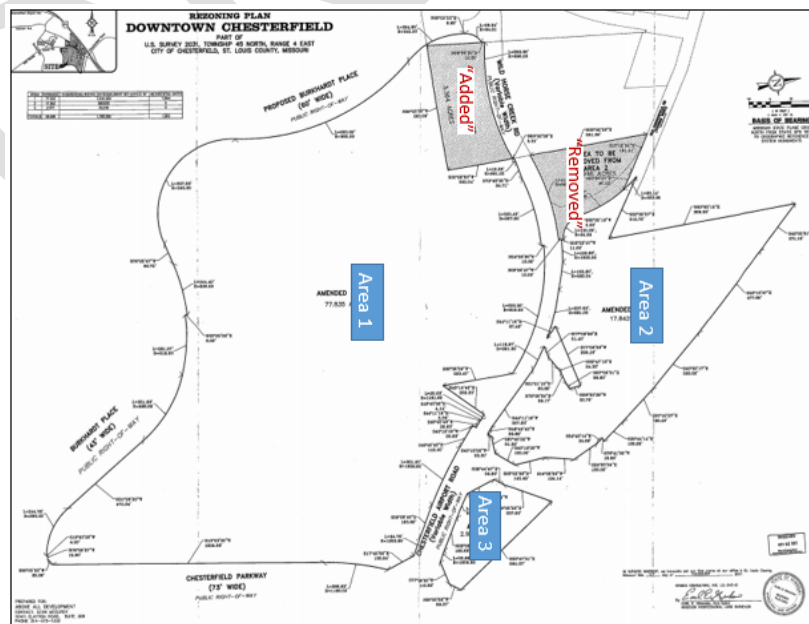
### PETITIONER'S PRESENTATION:

1. Ms. Kate Stock Gitto, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO.

Ms. Stock-Gitto stated she was representing the owner-under-contract, Brinkmann Holdings, LLC and Pearl Companies, who are under contract for Area 2, north of Wild Horse Creek Road and northwest of the off-ramp from I-64. She explained that they are requesting: (1) to rezone 0.4 acres from Non-Urban to Planned Commercial & Residence to be consistent with the rest of the Downtown Chesterfield district; and (2) to amend some design criteria that would allow two Concept Plans based on Categories vs. the entire 99-acre site.

### Discussion

During discussion, the plan below was referenced as it depicts the three areas (1, 2, and 3) defined in Ordinance 2449.



Chair Hansen asked what reassurance can be given that there will be a sense of consistency of the area if two separate concept plans are allowed. Ms. Stock-Gitto replied that their intent is to follow the ordinance, which lends itself to having high standards. The Developer plans a mixed use concept for Area 2 (*within Category C*) to include residential, office, retail, restaurant, and potentially a hotel.

Commissioner Schenberg again emphasized that the first developer for this area will be held to a very high standard. Ms. Stock-Gitto replied that one of the owners-under-contract is a Chesterfield-based business and is aware of Chesterfield's high standards. She assured the Commission that the City's expectations and standards will be communicated to the developer.

Councilmember Hurt pointed out that within the defined categories there is a transition from residential to the urban core, along with a nearby recreational area, all of which will need to be addressed with any development.

Commissioner Tilman stated that it would be beneficial to know how the 2.911 acre parcel of Area 3 would play into however Area 2 is going to be developed, specifically in terms of green space, pocket parks, etc. Ms. Stock-Gitto explained that both Areas 2 and 3 are part of Category C, so Area 3 would be part of the Concept Plan associated with Area 2. Ms. Henry added that Area 3 would be able to develop under the approved Concept Plan for Category C, and its Section Plans would have to be in compliance with that Concept Plan, or the Petitioner would have to request to amend the Concept Plan. The Master Concept Plans would address signage, lighting, and landscaping, in addition to the traditional concept plan showing ingress/egress, general parking areas, and general building forms. The specific section plans would get into the details of each area as it develops.

2. Mr. Mike Doster, representing the owner of the properties that are under contract, 16090 Swingley Ridge Road, Chesterfield, MO.

Mr. Doster stated that the properties currently under contract are all of the properties north of Wild Horse Creek Road within Category C (*Areas 2 and 3*). The Petitioner will not be submitting plans for Area 3, the parcel just east of the off-ramp.

Mr. Doster provided background information on how the PC&R zoning ordinance was established. At that time, the properties north of relocated Wild Horse Creek Road were viewed as something separate from the rest of downtown. The ordinance titles the different Categories as:

- Category A – Urban “Main Street” Development Pattern
- Category B – Urban Mixed Use Development Pattern
- Category C – Highway Frontage Outlots (Portion of District north of relocated Wild Horse Creek Road)

Mr. Doster explained that Categories A and B were not separated geographically because the location of the Main Street component had not yet been determined. This component would consist of mixed residential and commercial uses in a vertical arrangement where structures would be close to the street and close to each other. While Category B has many of the same uses permitted in Category A, there are significant differences as Category B was seen as periphery development to complement Main Street. Consequently, Categories A and B needed to be treated differently.

At that time, it was hoped that a petition would come forward with plans to develop all of downtown at one time. While attempts were made to find such a developer, one was never found.

The current petition for Category C is an attempt to “kick-start downtown” with a partial development rather than the full 99 acres. Because Categories A and B are completely different types of development than Category C, the Petitioner feels it is appropriate to file a Concept Plan and Site Section Plans on a Category-by-Category basis. The Petitioner’s proposal is subject to Ordinance 2449 and the only changes they are seeking relate to the process – not the substance.

### **Discussion**

Chair Hansen asked Mr. Doster to provide some assurances that there will be a consistency between the parcels if two separate Concept Plans are allowed. Mr. Doster stated that any plans would have to comply with the PC&R ordinance, along with all other City requirements. In addition, the development in Area 2 (within Category C) will kick-start the rest of downtown by meeting high standards in terms of design and materials.

Commissioner Rosenauer stated that he does not believe there is a lot of risk in allowing two separate concept plans because the Commission can still impose its will and recommendations on what will be developed.

Along with having a separate Concept Plan for Category C, discussion followed as to whether one Concept Plan covering both Categories A and B should be considered, or whether Categories A and B should each have its own Concept Plan.

Councilmember Hurt asked Mr. Doster if he thought there would be only one Petitioner for Categories A and B, or whether there could be multiple Petitioners. Mr. Doster indicated that he could not give a definitive answer, but stated that he believes there will be an increased interest in Categories A and B once the proposed development for Category C goes forward, but he is not able to predict whether A and B will be developed simultaneously, or developed in parcels.

As this petition moves forward, Chair Hansen stated that any additional information that the Petitioner is able to share with the Commission would be helpful.

**SPEAKERS IN FAVOR: None**

**SPEAKERS IN OPPOSITION: None**

**SPEAKERS – NEUTRAL: None**

- B. P.Z. 08-2018 Homewood Suites (Keller Ventures, LLC):** A request to amend Ordinance 2916 to establish new permitted uses and development criteria for 7.4 acres of land within an existing “C-8” Planned Commercial District located at the northeast corner of the intersection of Chesterfield Parkway West and Hilltown Village Center. (18S540138, 18S540149, 18S540150).

### **STAFF PRESENTATION:**

Planner Cassie Harashe gave a PowerPoint presentation showing photographs of the site and surrounding area. Ms. Harashe then provided the following information about the subject site:

### Site History

The subject property was zoned “C-8” in 1979 at which time Parcel 8, Building Group I was allocated 150,000 square feet. In May 1998, the Homewood Suites was approved for a 95,293 sq. ft. hotel, which leaves 54,707 sq. ft. left to be developed. There has been no other development activity in the subject area.

### Comprehensive Land Use Plan – Plan Policies

The subject site is under the Urban Core land use designation. The following Comprehensive Plan Policies apply to this area:

- Policy 1.8 Urban Core – The Urban Core should serve as the physical and visual focus for the City and include both residential and commercial developments.
- Plan Policy 3.1.2 Buffering of Neighborhoods - Residential uses should be buffered in all directions through various means.
- Plan Policy 3.6.1 High-Density Development – The different permitted uses in Building Group I would provide for diverse building forms and heights.
- Plan Policy 3.6.5 Chesterfield Village – Should encourage high density, mixed use residential and non-residential use with pedestrian amenities.

### Request

1. The applicant is requesting to add two new uses to the list of approved uses for this site - *Day Care Center* and *Kindergarten or Nursery School*.
2. The request also includes new development criteria. The request is structured so that if one of the currently-permitted uses develops, it would comply with the development standards as currently written in the ordinance. However, should a development come in with a daycare or kindergarten/nursery school, it would need to abide by the regulations of the Unified Development Code. Staff is recommending that the Urban Core District standards be utilized since this site is located within the area designated as the Urban Core land use category in the Comprehensive Plan.
3. Staff was informed today that the petitioner is requesting a 15-foot parking setback and landscape buffer along Hilltown Village Center.

Ms. Harashe provided the following Table comparing the Development Criteria between the Current Ordinance and the Urban Core District:

| Development Criteria       | Current Ordinance | Urban Core District |
|----------------------------|-------------------|---------------------|
| <b>Parking Setbacks</b>    |                   |                     |
| Roadway                    | 15'               | 30'                 |
| Northwestern Boundary Line | 15'               | 30'                 |
| Northeastern Boundary Line | 30'               | 30'                 |
| <b>Structure Setbacks</b>  |                   |                     |
| Roadway                    | 20'               | 35'                 |
| Northwestern Boundary Line | 20'               | 35'                 |
| Northeastern Boundary Line | 30'               | 35'                 |

|                            |     |     |
|----------------------------|-----|-----|
| <b>Landscape Buffer</b>    |     |     |
| Roadway                    | 15' | 30' |
| Northwestern Boundary Line | 15' | --  |
| Northeastern Boundary Line | 30' | 30' |
| <b>Open Space</b>          | --  | 30% |

All agency comments have been received and Staff is looking for direction on the appropriateness of the two uses in this area.

## Discussion

### Uses

Commissioner Tilman asked if there are any policies restricting particular uses to be a specific distance from *Day Care Center* and *Kindergarten or Nursery School* uses. Ms. Henry replied that there are distance requirements between certain uses and establishments serving liquor. However, in this particular case, the existing bar has already been issued a liquor license, so it would not be revoked if a school use is established on the site.

Commissioner Tilman also questioned whether there are any issues with a daycare center backing up to a wooded area from a security standpoint. Ms. Henry stated that this type of safety issue would likely fall under State licensing requirements.

Councilmember Hurt pointed out that in some instances, the City has asked Petitioners to remove uses when additional uses are being requested.

### Cross Access

Councilmember Hurt recommended that cross access be provided so that traffic from *Homewood Suites* can access the light on *Chesterfield Parkway*. Currently vehicles are prevented from making a left-turn from the site due to an existing median.

### Square Footage/Open Space

Ms. Harashe clarified that the remaining vacant parcels are allowed a maximum of 54,707 sq. ft. of development; however, the ordinance has a 30-foot height restriction. Development would also be restricted by the parking and setback requirements. It was also noted that 30% open space would be required for the entire site and the hotel site currently has approximately 56% open space.

## PETITIONER'S PRESENTATION:

1. Ms. Kate Stock Gitto, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO.

Ms. Stock-Gitto stated she is representing Keller Ventures, LLC/Kiddie Academy who are requesting the addition of two new uses – *Daycare* and *Kindergarten or Nursery School* as they feel there is a need for such uses in the area. She indicated that there is the possibility that cross access can be provided for *Homewood Suites*.

The Petitioner is requesting a 15-foot parking setback and landscape buffer along *Hilltown Village*.



2. Mr. Mike Doster, 16090 Swingley Ridge Road, Chesterfield, MO.

Mr. Doster stated he is representing the owner of the subject property who supports the request of adding two new uses. Sachs Properties does not want any other changes to the existing "C-8" ordinance.

#### **Discussion**

Commissioner Wuennenberg noted his agreement with giving Homewood Suites access to the traffic light, and asked if Sachs is supportive of allowing cross access. Mr. Doster replied that he would have to review the matter, but he is not certain of how it could be accomplished. He also questioned whether bringing traffic through a daycare site is a good idea from a security standpoint.

Mayor Nation indicated that he is not in favor of allowing cross access with a day care on site, and also questioned whether it is even feasible to do so.

**SPEAKERS IN FAVOR: None**

**SPEAKERS IN OPPOSITION: None**

**SPEAKERS – NEUTRAL: None**

Commissioner Wuennenberg read the Closing Comments for the Public Hearings.

#### **V. APPROVAL OF MEETING SUMMARY**

Commissioner Wuennenberg made a motion to approve the Meeting Summary of the July 23, 2018 Planning Commission Meeting. The motion was seconded by Commissioner Rosenauer and **passed by a voice vote of 7 to 0**. (*Commissioners Harris and Schenberg abstained.*)

#### **VI. PUBLIC COMMENT**

Councilmember Barry Flachsbart, 347 Ridgemoor Drive, Chesterfield, MO.

Councilmember Flachsbart thanked the Commission for serving and acknowledged the time and effort involved. He then expressed his concern about setback reduction requests noting that they are very important for aesthetics, separation, and buffering. He urged the Commission to be "very reluctant" to reduce setbacks from the City's standards and asked that they give careful consideration to any input from adjacent uses and neighborhoods.

Chair Hansen asked what Councilmember Flachsbart felt would be an acceptable reason to reduce a setback. He indicated that a reduction would be acceptable in instances where it would not cause any problem or concern with buffering from adjacent uses or neighborhoods.

#### **VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None**

**VIII. UNFINISHED BUSINESS - None**

**IX. NEW BUSINESS - None**

**X. COMMITTEE REPORTS - None**

**XI. ADJOURNMENT**

The meeting adjourned at 8:25 p.m.

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Debbie Midgley, Secretary