V.A.

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
NOVEMBER 25, 2019

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

I. ROLL CALL

PRESENT	**ABSENT**
Commissioner Allison Harris	
Commissioner John Marino	
Commissioner Debbie Midgley	
Commissioner James Rosenauer	
Commissioner Gene Schenberg	
Commissioner Jane Staniforth	
Commissioner Guy Tilman	
Commissioner Steven Wuennenberg	
Chair Merrell Hansen	
Mayor Bob Nation	
Councilmember Mary Ann Mastorakos, Council Liaison	
Mr. Michael Lindgren, representing City Attorney Christopher Graville	
Mr. Justin Wyse, Director of Planning & Development Services	
Mr. Andrew Stanislav, Planner	
Ms. Mary Ann Madden, Recording Secretary	

Chair Hansen acknowledged the attendance of Mayor Bob Nation; Councilmember Mary Ann Mastorakos, Council Liaison; Councilmember Barb McGuinness, Ward I; and Councilmember Dan Hurt, Ward III.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

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

A. P.Z. 15-2019 Wiegand Studio (Wiegand Foundation): A request for a zoning map amendment from the "NU" Non-Urban District and "C-3" Shopping District to the "PC" Planned Commercial District with an existing "H" Historic Designation to remain for two tracts of land totaling 2.82 acres located on the east side of Baxter Road at its intersection with Edison Avenue (17T220942, 17T310335).

STAFF PRESENTATION:
Planner Andrew Stanislav gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Stanislav then provided the following information about the subject site:

Request
The request is to establish a new "PC" Planned Commercial District, and to permit the use of *Art Studio* as the sole permitted use. The property will retain its "H" Historic Designation.

Comprehensive Land Use Plan
The City of Chesterfield Comprehensive Land Use Plan designates the site as *Mixed Commercial Use.*

The following Plan Policy is applicable to this proposal:

> *Historic Preservation – Historic structures, districts, and sites should be preserved and protected and the City's historical heritage should be promoted where appropriate.*

Site History
The original slaughterhouse building was constructed in 1926, and purchased by Frank Wiegand in the 1950s. In 1965, restoration work and additions were done by the current owner, Don Wiegand. Beginning in 1985, the building was re-purposed as an art studio with post-flood restoration in 1993. The site was granted "H" Historic Designation in 2008.

Preliminary Development Plan
The Preliminary Development Plan details the existing historic structures and site improvements. No physical changes are currently proposed for the site

Discussion
Responding to questions from the Commission, Staff provided additional information and clarification, as necessary:

- No changes are necessary to the property to meet the requirements of the requested zoning.
- If any other future uses for the site are proposed, the Petitioner at that time would be required to submit an ordinance amendment, requiring a public hearing and review process.
- City process allows Petitioners to request uses from a list of permitted uses allowed under the Planned Commercial districts. In this particular case, *art studio* is the only use being requested by the Petitioner.

PETITIONER'S PRESENTATION:
Mr. David Volz, Volz Engineering, 10849 Indian Head, St. Louis, MO.

Mr. Volz stated that the Petitioner is requesting a rezoning to Planned Commercial to allow the use of *art studio*. It was noted that under the current zoning, the art studio was considered a legal, non-conforming use. Under the requested zoning, the use would be brought into compliance. This is the only use being requested; if other uses were

requested, improvements to the site would be required and their goal is to keep the site in its current state.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

ISSUES: None

Commissioner Schenberg read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING SUMMARY

Commissioner Schenberg made a motion to approve the Meeting Summary of the November 13, 2019 Planning Commission Meeting. The motion was seconded by Commissioner Tilman and **passed by a voice vote of 7 to 0.** *(Commissioners Midgley and Rosenauer abstained.)*

VI. PUBLIC COMMENT

RE: P.Z. 10-2019 Downtown Chesterfield (Thompson Thrift Development, Inc.)

Petitioner:

1. Mr. Jose Kruetz, Managing Partner of the Single-Family Rental, Mixed-Use Division, Thompson Thrift Development, 111 Monument Circle, Indianapolis, IN

Mr. Kruetz presented a PowerPoint presentation which displayed the following plans for the subject site:

- The plan approved in 2008, which features four retail buildings, a six-story office building, and a parking garage;
- The proposed plan presented at the September 9, 2019 public hearing; and
- The proposed plan, as revised since the public hearing.

Responding to comments expressed at the public hearing, the following revisions have been made to the proposed plan:

- The townhomes have been moved back from the area fronting Veterans Place Drive by increasing the setback from 2 feet to 15 feet. A small tribute park is proposed in this area with a plaque commemorating the families of veterans.
- The commercial space has been moved away from the Veterans Park and down to Chesterfield Parkway.
- The streets are proposed to be public vs. private.
- The number of parking stalls has been increased from 223 to 306.
- Attached garages are now proposed.

2. Mr. George M. Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO

Mr. Stock provided the following information relative to the petition:

- Park Circle Drive will remain public with a public right-of-way dedication continuing to the west to Veterans Place Drive.
- Any of the parking being added along Main Circle Drive would be placed within dedicated right-of-way.
- The vacation being requested is limited to the existing roundabout at the intersection of Main Circle Drive and Park Circle Drive in order to convert the area to a four-way intersection, which will actually operate as a three-way intersection.
- Main Circle Drive, in the area leading to the adjacent office building, would be widened to 30 feet from its current condition of 26 feet.
- All proposed streets will comply with, or exceed, all City and Fire District standards.

3. Mr. Mike Doster, Land Use Attorney on the Development Team, 16090 Swingley Ridge Road, Chesterfield, MO.

Mr. Doster stated that they have submitted a memorandum regarding density, which provides a detailed history of density as it relates to "all of downtown". He explained that the original concept of downtown included the subject property as Phase I, and the property to the north as Phase II. At that time, the Planned Commercial & Residential zoning, which applied to Phase II, did not extend to the subject site because Sachs Properties had already pursued approval for the office building, parking structure, and outparcel retail uses.

Mr. Doster then stated that he has been authorized by the Staenberg Group to represent to the Commission that the Staenberg Group has reviewed the revised plan and "supports the application because it enhances downtown and the future redevelopment of the mall". He added that a variety of residential products, including apartments, is very important to address the holistic development of downtown and the redevelopment of the mall.

Discussion

Commissioner Marino asked for a comparison of density, including vehicular density, between six-story office buildings on the subject site vs. the proposed residential development. Mr. Doster replied that they will provide detailed information regarding density prior to the next meeting on this petition. He did note that traffic from a six-story, 150,000 sq. ft. office building would contribute more to traffic at peak periods than a residential development.

Commissioner Wuennenberg questioned whether any variances from the Urban Core standards are being requested. Mr. Stock replied that they are requesting a setback modification for parking from 30 feet to 15 feet, and a structure setback modification from 35 feet to 15 feet.

In Opposition:

1. Mr. Dave Cissell, 2 Upper Conway Lane, Chesterfield, MO.

   Mr. Cissell stated that the first four Speakers in opposition are representing the numerous residents in the audience "wearing red". He then noted that they are concerned with **density** in the area, and provided the following information:

   - The development plan shows the proposed apartments sandwiched in between the amphitheater, the Veterans Honor Park, the library, and The Awakening sculpture.
   - Recently-approved projects in the area include a total of nearly 700 apartment units with the proposed development adding another 121 units.
   - The 100 acres surrounding the adjacent lake will most probably also be developed with apartment units, along with the redevelopment of the mall.

Discussion

Commissioner Schenberg asked if the Speaker was concerned about density solely from the number of proposed residential units or is the concern related to density with any type of proposal – such as a mixed-used development. Mr. Cissell replied that they are looking for a streetscape with a mix of uses.

2. Mr. Bruce Geiger, 14787 Greenloch Court, Chesterfield, MO.

   Mr. Geiger stated that while not necessarily being opposed to the project itself, he is strongly opposed to the project on the subject site. He then noted the following reasons for his opposition.

   - The project is a high-density, minimum-setback development which abuts The Awakening, the Sachs Reading Garden, and Library, and sits across from Veterans Place Drive, the aquatic center, Central Park, Veterans Honor Park, the amphitheater, and the YMCA – all of which share a common characteristic of open space.
   - The existing conditions provide a transition from the commercial on the east, the park and scenic on the west, and the high-density downtown Chesterfield that is being proposed on the north and the east.
   - There is concern that while the preliminary plan shows 121 units, the request is for 140 units.

   If the Commission considers approval of the proposed zoning, Speaker encouraged them not to allow any setback variances.

3. Ms. Kelli Unnerstall, 14649 Summer Blossom Lane, Chesterfield, MO

   Ms. Unnerstall described Louis Sachs' vision for the downtown area defined by "office buildings, retail, restaurants, community parking, and ample green space". She compared this vision to the proposed development with "tightly spaced rental units, virtually no green space, and no public parking lots or garages." She then noted the following concerns:

   - The proposed development with its "tightly spaced rental units with the bare minimum of open space and no public parking lots or garages should not be developed next to passive open space such as Central Park and Veterans Honor Park".

- The proposed plan is essentially a multi-family development, which is more like R-6 zoning.
- The only mixed-use portion of the plan is a roughly 3,000 sq. ft. commercial establishment located in the clubhouse complex, and represents less than 1.4% of the total square footage of the development.
- There is no public benefit to this development; there is very minimal public parking with this proposal (59 spaces) for the prime attractions and events around Central Park compared to the original plan which had over 700 public parking spaces.

4. Ms. Jan Misuraca, 1414 Sycamore Manor, Chesterfield, MO.

   Ms. Misuraca pointed out the number of residents in the audience who oppose this petition noting that she had received numerous emails and phone calls from residents who are also opposed, but were unable to attend because of traveling in connection with the Thanksgiving holiday.

   She then asked that the Commission "respect the current zoning plan and not allow changes". They are not opposed to development in the downtown area but they feel this plan is not right for the subject site.

5. Mr. Pete Bruggeman. 321 Woodcliffe Place Drive, Chesterfield, MO.

   Mr. Bruggeman stated that Louis Sachs was the guiding visionary for the Chesterfield community, and his vision was to intertwine residential, commercial, retail, and cultural amenities. He asked that the Commission protect this vision and the cultural amenities for the residents of Chesterfield.

6. Mr. Paul Hilton, BurkHill Real Estate, 400 Chesterfield Parkway, Chesterfield, MO.

   Mr. Hilton stated that BurkHill Real Estate purchased the 18-office buildings and retail properties owned by the Sachs family, but the land is still owned by the Sachs family. Everyone involved on the ownership side are St. Louis natives and they care about the community and want to carry on the culture that Louis Sachs created when the complex was built. They own the building that is on the southern side of the subject site and they are pro-development of the downtown area.

   He then noted his concern with the proposed development in that access to their property and to The Awakening is through the proposed residential development, which "cuts them off and puts them on an island back on the southern end of the property". They have met with the Petitioners and offered two solutions to their access concerns - either moving the entrance or buying the necessary property - but neither one of them was acceptable to the Petitioners.

   He specifically asked that the existing roundabout not be eliminated as requested by the Petitioners.

Discussion

Commissioner Harris inquired as to how many vehicles come and go to the Sachs office building each day. Mr. Hilton replied that it would be approximately 400 cars.

If the entrance was moved, Commissioner Wuennenberg asked if the new location would conform with Chesterfield standards. It was noted that Staff would have to review the matter to determine if it would conform to standards.

Commissioner Marino asked if the Sachs parking garage allows public parking during non-business hours. Mr. Hilton stated that one of the surface lots has been open to the public during non-business hours but there is no specific requirement allowing public parking.

7. Mr. Jay Indovino, Executive Director, Pedal the Cause, 9288 Dielman Industrial Road, St. Louis, MO.

   Mr. Indovino stated that Pedal the Cause hosts an annual cycling event at the Chesterfield amphitheater, which raises funds for cancer research *($4.7 million this year)* for Siteman Cancer Center and St. Louis Children's Hospital.

   He then noted that "development has consequences" and explained that if the property is developed either commercially or with residential units, Pedal the Cause may have to move its event. However, a commercial design would give them more flexibility in continuing to host the event in this area. He feels it is very important for Chesterfield to identify where events would be hosted and where Chesterfield will come together as a community.

Discussion

Commissioner Wuennenberg acknowledged that it would be difficult to find another location in Chesterfield to host such an event with the thousands of people who participate.

Commissioner Marino asked how the Pedal the Cause event would be impeded by a residential development on the subject site. Mr. Hilton explained that the entire piece of property is used for bike racks and tents associated with the event. A commercial development would provide parking lots and ample green space for tents and bike racks. Veterans Place Drive is closed during the event and is used as the bike chute, which could prove difficult with a residential development.

Commissioner Marino suggested that the developer work with Pedal the Cause to try and keep their event in Chesterfield. Mr. Kruetz replied that they have been working with Pedal the Cause.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. UNFINISHED BUSINESS

A. P.Z. 10-2019 Downtown Chesterfield (Thompson Thrift Development, Inc.): A request for a zoning map amendment from a "C-8" Planned Commercial District to a "UC" Urban Core District to permit residential dwelling units in addition to the existing permitted commercial uses for an 8.7 acre area of land located at the intersection of Chesterfield Parkway and Park Circle Drive and along the east side of Veterans Place Drive (18S110159, 18S110160, 18S130179, 18S130180, 18S130201, 18T340322, 18T340366).

Request
Planner Andrew Stanislav stated that the change of zoning to "UC" Urban Core is being requested in order to add residential uses to the existing permitted commercial uses. The request includes the maximum of 140 units, as well as modifications to setbacks. All other requirements are in compliance with the Unified Development Code.

Issues
At the September 9, 2019 Public Hearing, two individuals spoke in opposition to the proposed development, and the Planning Commission identified the following issues:

1. **Private Streets and Access** - *Private streets are now proposed as public right of way.*
2. **Proximity to Public Parks** - *Public parking is now being provided along Main Circle and Park Circle Drives, as well as near the clubhouse and next to The Awakening.*
3. **Proposed Setbacks** - *The proposed setbacks along Veterans Place and Chesterfield Parkway West have been increased to 15 feet.*
4. **Connectivity** - *Sidewalks have been placed in easements for public use.*
5. **Density and Openspace** – *The Applicant has provided a memo addressing density, which has been included in the meeting packet.*

Requested Uses
Since the Public Hearing, the Applicant has removed three uses:

1. Group residential facility
2. Hospice
3. Nursing Home

The Applicant is currently requesting a total of 55 uses.

Preliminary Development Plan
The Preliminary Development Plan has been revised since the Public Hearing. It currently depicts 121 total units on the site, although 140 units are requested as the maximum in order to allow flexibility upon further design of the site and products to be offered.

In addition, a maximum height of three stories is requested; Main Circle Drive and Park Circle Drive within the site are now proposed as public streets with public on-street parking; setbacks have been increased along Chesterfield Parkway and Veterans Place Drive; a parking area for residents/guests is being provided; and garages have been added for the cottage units.

Requested Modifications: Setbacks
The Petitioner is requesting a modification from the structure and parking setbacks for the "UC" Urban Core District. Any such modification requires 2/3 vote by Planning Commission for approval.

The following table illustrates the modification requests:

Setbacks	Urban Core Requirements	Currently-Approved Setbacks	Revised Setbacks since Public Hearing
Structure	35 ft. from UC boundary	Ch. Pkwy – 15 ft. Veterans Place Dr. – 15 ft. Internal Roads – 4 ft.	Ch. Pkwy – 15 ft. Veterans Place Dr. – 15 ft. Internal Roads – 5 to 15 ft. South Property Line – 25 ft.
Parking	30 ft. from UC boundary	Ch. Pkwy – 15 ft. Veterans Place Dr. – 10 ft. Internal Roads – 4 ft.	Ch. Pkwy – 15 ft. Veterans Place Dr. – 15 ft. Internal Roads - 0 ft. 0 ft. from remaining UC boundary

Summary

All agency comments have been received and Staff has no outstanding issues. It was noted that the Applicant has requested that no vote be taken at this time and that the information presented is for discussion purposes only.

Discussion

Parking

Commissioner Marino requested information regarding parking in relationship to:

- amphitheater events at full capacity;
- the pool parking lot;
- anticipated reduced street-level parking in connection with the proposed development; and
- confirmation that there is no formal parking agreement with the building at Lydia Hill and Chesterfield Parkway

In response, the following information was provided by Staff:

- Movie nights at the amphitheater draw 3,000-4,000 attendees. Number of attendees for other events depends on the type of event and the area utilized (i.e. more than the amphitheater).
- On-street parking along Veterans Place Drive would remain basically the same.
- A significant amount of parking is currently available at Chesterfield Mall for amphitheater events.
- There is no formal public parking agreement with the office building on Lydia Hill

Access

Commissioner Wuennenberg asked if it is feasible to move the curb cut along Chesterfield Parkway further south, or whether this would be too close to Lydia Hill. Mr. Stanislav noted that St. Louis County has indicated that they want the access to remain at its current location of Park Circle Drive.

Zoning

Commissioner Schenberg asked for clarification on the length of time the current zoning of C-8 has been in place. Staff responded that the approved Concept Plan and Section Plan were approved in 2008-2009. The most recent zoning on the property is with the

Chesterfield Village Mall C-8 ordinance with the last amendment applicable to this site approved in 1981. The Comprehensive Plan designates the site as Urban Core.

Streets
Considering the modifications being requested for the existing City-owned streets, Commissioner Tilman asked if there is a Staff review process regarding access and traffic flow. Mr. Wyse explained that there is a multi-faceted review process of any such requests.

Commissioner Harris inquired about snow removal wherein Staff related that only the two public streets would be maintained by the City.

Access
Commissioner Midgley inquired about access to the adjacent office building. Mr. Wyse stated that there is access off of Chesterfield Parkway, off of Lydia Hill into the garage, and off of Veterans Place Drive into the larger parking area.

Commissioner Staniforth voiced concerns that access through the residential development to the office building raises both safety and security issues.

General Dialogue
At this point, Chair Hansen stated that the Commission has heard from the applicant, residents, organizations, and Staff – and she was now opening up the meeting for a general dialogue among the Commissioners.

Extensive discussion followed regarding:
- the requested Urban Core zoning for the site vs. the existing C-8 commercial zoning;
- the requested residential uses for the site;
- density and parking of the proposed development;
- whether the proposed development is appropriate for the subject site given its proximity to many of the City's public amenities (Central Park, The Awakening, amphitheater, and lake); and
- how the proposed development affects access to the adjacent commercial building.

During discussion, each of the Commissioners expressed opinions and/or concerns about the petition:

Commissioner Schenberg
- Believes the Petitioners need to provide sufficient reasons as to why the zoning should be changed to Urban Core. Has concerns that the proposed development has too much residential and not enough commercial.
- Suggested 6-story buildings with retail on the lower levels and residential above, which would allow more green space and parking.
- Agreed that this a “beautiful development” but expressed concern about the location of it. Feels that the land around the adjacent lake is more suitable for such a development.

Commissioner Marino

- Concerns that a "spectacular downtown" will be built without the residential density to support it.
- The proposed development is in the Urban Core, which is where these types of development should be situated. He does, however, have concerns about its location next to the Veterans Honor Park and other City amenities.
- Noted all the new jobs being generated in the area from companies such as Bunge and Pfizer, whose employees would support such a residential development vs. the cost of home ownership in Chesterfield.
- Concerns about six-story office buildings along Chesterfield Parkway creating a "canyon effect".

Chair Hansen

- Understands the need for residential in the downtown area, but has concerns about the location for the subject petition.

Commissioner Wuennenberg

- Noted that within the Comprehensive Plan, the land use for the subject site is Urban Core and the Petitioner is asking for Urban Core.
- Does not feel that every parcel zoned Urban Core should include mixed uses, as it could "get very clumsy".

Commissioner Rosenauer

- Has concerns that if the City discourages this development, it could be a detriment to other individuals wanting to develop in Chesterfield.
- Feels this plan could fuel a development boom in the downtown area.

Commissioner Staniforth

- Noted that the proposed project is not a mixed-use type of development, and pointed out that there is already an abundance of existing and future multi-family residential developments in the area.
- Has concerns that the subject site is not the right location for this development.
- Has concerns about the access issues that this development would cause for the adjacent office building.

Commissioner Tilman

- His major concern relates to the impact the density this development will have on the adjacent amenities in which the City has invested considerable money.
- He feels that the concept for Urban Core is a mix of commercial and retail, and this proposal is only residential.
- Considering all the apartment complexes in the area, he questions where the amenities are for people to shop and eat as no one has presented any such proposals for the area.

Commissioner Harris

- Noted that amenities to support the residential are in Chesterfield Valley and along Clarkson Road.
- Has concerns that Chesterfield Valley could be compromised by stores relocating from that area to the urban core area.

Commissioner Midgley

- If six-story commercial buildings, rather than residential, are built on the subject site, questioned how this would accomplish what the public is requesting – "more wide open, more visible, easier to use". If six-story office buildings are constructed, it will include underground and surface parking.

Councilmember Mastorakos

- Feels there is ample area around the lake for residential development.
- Feels there needs to be variety of uses up and down the Parkway.
- Agrees that consideration has to be given to the considerable investment the City has made in developing the amenities that bring residents into the area.

Petitioner's Response – Mike Doster

Mr. Doster stated that some of the concepts discussed do not reflect what actually happens in the market place. He explained that the 8-acre parcel under contract is Phase I of a 100-acre downtown concept. This piece of property shouldn't be expected to have all the uses of a mixed-use development – the entire downtown area needs to be looked at to determine whether the mixed use is being attained. He noted that the City has no control over this; rather the market and owners will determine how land is to be developed.

He has been informed by the Sachs family that they will not piecemeal the remaining 70 acres of Categories A and B of downtown. While the land that comprises Categories A and B may be developed in phases, one concept plan will be required for this area. He pointed out that successful developments across the country have all had residential developed first, with commercial following.

Chair Hansen clarified that the comments expressed don't reflect that the Commission is against residential in the downtown area, but there are concerns about this specific location for residential development.

Commissioner Rosenauer noted that the Petitioner is requesting a change of zoning for an 8-acre parcel from an old C-8 zoning to Urban Core, which is what the current Comprehensive Plan designates. He expressed concern that the Commission gets ahead of itself trying to design what kind of development it wants on a piece of property, rather than just focusing on the rezoning request. After the property is rezoned, then a site plan will be required outlining what is intended for the land.

Chair Hansen pointed out that the Petitioner has stated that the rezoning request is solely to add *residential use* as a permitted use, which is where her concern lies.

Mr. Doster then explained that the Petitioner's intention for this piece of property is residential. However, they will still be requesting the vested commercial uses under the Urban Core zoning in the event the property doesn't close and the residential doesn't get built.

While recognizing that it would delay the development process, Mr. Doster recommended scheduling a Work Session regarding the downtown area, including the subject Phase I portion. Commissioner Tilman felt it would be helpful to have a design

plan session, which he hopes will provide information about any plans for future development in downtown. After further discussion, Staff was directed to look into the process for having a design study workshop regarding the downtown area.

Mr. Wyse then stated that Staff has taken note of the issues raised and will be working with both the Applicant and City Attorney before reporting back to the Commission.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 9:08 p.m.

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Gene Schenberg, Secretary