

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
MEETING SUMMARY
SEPTEMBER 11, 2023**

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

I. ROLL CALL

PRESENT

Commissioner Gail Choate
Commissioner Khalid Chohan
Commissioner Allison Harris
Commissioner John Marino
Commissioner Debbie Midgley
Commissioner Nathan Roach
Commissioner Jane Staniforth
Commissioner Steven Wuennenberg
Chair Guy Tilman

Councilmember Merrell Hansen, Council Liaison
Mr. Nathan Bruns, representing City Attorney Christopher Graville
Mr. Justin Wyse, Planning Director
Ms. Alyssa Ahner, City Planner
Ms. Erica Blesener, Recording Secretary

Chair Tilman acknowledged the attendance of Councilmember Merrell Hansen, Council Liaison, and recognized Commissioner Roach for his service to the Planning Commission. He further expressed condolences to the family of Mary Ann Madden who was a loyal employee to the City.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS – None

V. APPROVAL OF MEETING SUMMARY

Commissioner Staniforth made a motion to approve the Meeting Summary of the August 14, 2023 Planning Commission Meeting. The motion was seconded by Commissioner Choate and **passed by a voice vote of 6 to 0. (*Commissioner Chohan, Harris, and Roach abstained.*)**

VI. PUBLIC COMMENT

A. P.Z. 01-2023 Long Road Lipton Parcel (Cronin Valley Real Estate, LLC)

Representing the Petitioner:

1. Mr. Mike Doster, 16839 Chesterfield Bluffs Circle, Chesterfield, MO representing the Petitioner for **P.Z. Long Road Lipton Parcel (Cronin Valley Real Estate, LLC)** - available for questions.
2. Mr. Ken Schaeffler, Senior Project Manager, The Clayton Engineering Company, 2268 Welsch Industrial Court, St. Louis, MO – representing the Petitioner for **P.Z. Long Road Lipton Parcel (Cronin Valley Real Estate, LLC)** - available for questions.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS – None.

VIII. UNFINISHED BUSINESS

- A. P.Z. 01-2023 Long Road Lipton Parcel (Cronin Valley Real Estate, LLC):** A request to amend an existing “PI” Planned Industrial District for 8.83 acres of land located north of Chesterfield Airport Rd and south of Interstate 64.

Planner Alyssa Ahner, provided the following information about the petition:

A public hearing was held on July 10th, 2023 at which time the Planning Commission discussed the proposed amendments. Staff noted that since the existing ordinance is from 1999, the uses and development criteria differ from today’s Unified Development Code. The Planning Commission requested that the existing ordinance be updated to reflect today’s terminology.

Following the public hearing, Staff worked with the applicant on translating the 1999 use terms to current use terms. A majority of the uses were easily translated – however, it was discovered that Planned Industrial Districts in 1999 allowed retail sales. Retail sales establishments are no longer permitted in Planned Industrial Districts but rather Planned Commercial Districts. The applicant is requesting that the use terms not be updated to today’s terminology but rather just amend the use related to the sale of motor vehicles. Staff explained that this request could be brought forward to the Planning Commission and that the decision of approval/denial would be dependent on the Commission’s judgement in addition to City Council. Figure 6 below depicts how use “u” currently exists and then the proposed modification in red.

u. Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises.

i. **Outdoor sales of motor vehicles are permitted north of Long Road Crossing.**

While the use terms have not been updated, the applicant was open to updating other development criteria. Items such as landscaping, lighting, signage, architecture etc. shall now be in accordance with today's Unified Development Code. The applicant has also revised the Preliminary Development Plan to clear up some confusion. The existing easements have been removed from the conceptual plan as the entirety of the development will require a replat in the future. The overall layout of the development i.e., easements, lot boundaries etc. will be modified in a separate process following the rezoning. The rezoning is the first of many steps for the proposed development.

Applicant Comments

Mr. Mike Doster stated the existing Ordinance 1540 adopted in 1999 is zoned Planned Industrial. Uses "U", "V", and "W", already permit the sale of motor vehicles and associated activities. Outdoor Sales are not permitted which is typical activity for a dealership. The request is to add Outdoor Sales to the already existing uses and ordinance. No additional uses are proposed to the property located south of Long Road Crossing.

The southern portion owned by Vantage Point, LLC is not being sold to the petitioner and the owner does not want changes made to that portion. The southern portion is subject to a Site Development Concept Plan for future development.

Mr. Doster presented an aerial view of the property showing the Kia Dealership to the east. Forward funding agreements were established in the early 2000's between the City and property owners in the area to assist with funding the construction of improvements. The Sanitary Agreement was intended to help attract development to the area, which hasn't happened yet.

The two franchises that would be located on the subject property are; Genesis and Hyundai. The Dean Team believes the City of Chesterfield is the market location for the affordable "luxury" brand; Genesis.

Discussion

Commissioner Roach stated the dealership makes more sense than some of the uses that are already approved. He also believes it would be difficult for a car dealership to sell cars if they are only limited to a showroom. Commissioner Wuennenberg has no issue with the car dealership, but expressed concerns with the storage on the north side of the highway. He questioned if storage is allowed on the parcel. Planning Director, Justin Wyse, clarified use "S" the sales, servicing, repair, cleaning, renting, leasing, and necessary outdoor storage of equipment, and vehicles used by business industry and agriculture is prohibited. Councilmember Hansen asked if the petition is approved, would the money go to the City of Chesterfield. Mr. Doster clarified two agreements were put in place; one to fund the road, and a sanitary agreement that funded the Pump Station. Under the sanitary sewer agreement, when an applicant applies for a permit, they will have to reimburse the City of Chesterfield in proportion, as dictated by the agreement.

Mr. Doster was unable to find documentation of a signed agreement from the current property owner.

Commissioner Staniforth commented that the “PI” District states that the hours of operation shall not be restricted and asked for clarification. Mr. Doster explained that it’s typical for a Planned Industrial District to not restrict the hours of operation. When the original ordinance was adopted, the provision was in the ordinance. The permitted uses in the existing ordinance are not restricted in terms of their hours of operation. Mr. Wyse stated the City standard is 6 A.M. to 11 P.M. for retail uses and asked if there would be an objection. Mr. Doster confirmed there was no objection to hours of operation restriction for the property located north of Long Road Crossing. They do not however have the authority or permission to impose the restriction on the property located south of Long Road Crossing as that is owned by a different party that is not present this evening.

Commissioner Chohan asked for clarification about amendment “S” stating outdoor storage is prohibited. Mr. Wyse explained use “U” goods and services of any kind, including sale of motor vehicles, permits the outdoor sales of motor vehicles. Lawn mowers, construction equipment, and other similar items, will not be permitted.

Commissioner Staniforth made a motion to approve P.Z. 01-2023 Long Road Lipton Parcel (Cronin Valley Real Estate, LLC), with a condition restricting the hours of operation north of Long Road Crossing, associated with use “U”, to the hours of 6 A.M. to 11 P.M. The motion was seconded by Commissioner Choate and **passed by a voice vote of 9 to 0.**

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:25 p.m.

Jane Staniforth, Secretary