

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JANUARY 25, 2016**

The meeting was called to order at 7:04 p.m.

I. ROLL CALL

PRESENT

Ms. Merrell Hansen
Ms. Debbie Midgley
Ms. Amy Nolan
Mr. Guy Tilman
Mr. Steven Wuennenberg
Chair Stanley Proctor

ABSENT

Ms. Wendy Geckeler
Ms. Allison Harris
Ms. Laura Lueking

Councilmember Connie Fults, Council Liaison
Interim City Attorney Harry O'Rourke
Ms. Aimee Nassif, Planning & Development Services Director
Mr. Jonathan Raiche, Senior Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Proctor acknowledged the attendance of Councilmember Connie Fults, Council Liaison; Councilmember Bridget Nations, Ward II; and Councilmember Bruce DeGroot, Ward IV.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

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

- A. P.Z. 14-2015 Friendship Village of West County (15201, 15239, 15249, 15255 Olive Blvd): A request to amend Conditional Use Permit (CUP) #36 to include additional area and to amend the use restrictions and other development conditions in a “R4” Residential District for a 36.7 acre tract of land at the northwest corner of Olive Boulevard and Arrowhead Estates Lane (17S320445, 18S640272, 18S640326, 18S640162).**

STAFF PRESENTATION:

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

Conditional Use Permits

A Conditional Use Permit (CUP) is classified as a Special Procedure under the City's Unified Development Code and requires a Public Hearing. The Planning Commission has the authority to approve or deny a CUP. After a decision is rendered by the Planning Commission, City Council may exercise Power of Review within 15 days. The City's usual appeal and protest petition process is also applicable which allows 18 days in which the applicant or the general public may appeal or protest the Planning Commission's decision. If Power of Review is not exercised and there are no appeals or protest filed during the allotted time periods, the CUP becomes effective and is recorded at St. Louis County.

Zoning History

In 1973, the subject site was zoned "NU" Non-Urban and County CUP #264 was issued allowing for 300 apartment units and a 58 bed nursing facility. The CUP was amended several times over the years to revise setbacks, increase the number of beds in the nursing facility, expand the site, and rezone the property to "R4" Residential District. The most recent amendment was approved in October, 2015 which rezoned an approximate two acres in the southwest corner of the site, with the intention of including it in the subject petition.

Request Summary

1. Add approximately 2 acres of land.
2. Increase independent living units from 400 to 550*.
3. Increase nursing facility beds from 117 to 350*.
4. Increase the square footage of the accessory commercial uses from 3,000 square feet to 6,000 square feet.
5. Provide an exception to the existing 4-story maximum height requirement to allow for an additional level of underground parking.
6. Allow retaining walls within structure setbacks when the subject site is on the low side of the retaining wall.
7. Remove the existing driveway access for 15239 and 15253 Olive Boulevard.

*Mr. Raiche added that the Petitioner has clarified that the requested increase in the number of units and beds is for phasing purposes in order to transition the residents during the construction process. When the project is complete, the actual number of units/beds on site will be lower than the proposed maximums.

Comprehensive Land Use

The Comprehensive Land Use Plan designates the subject site as *Single Family Residential*. The *nursing home* use is permitted as a conditional use under all residential districts in the Unified Development Code.

Preliminary Plan

The Preliminary Plan shows that the majority of the development will be on the southern portion of the site fronting Olive Boulevard with one new duplex building being proposed along the northern portion of the property. There will be a complete redevelopment of the site over time.

Nursing Home Standards – There are four specific development standards for nursing homes and this petition was evaluated according to the underlying "R-4" Residential District regulations:

1. *Density of Self-care Units* – The “R-4” District restricts density to a maximum of 20 units/acres; the Petitioner is proposing 15 units/acre.
2. *Structure Setbacks* – Structure setbacks are required to be a minimum of 50 feet from all property lines, which will be met with one exception. The current Conditional Use Permit provides for a 40-foot setback for the maintenance building along the west property line and Staff is recommending that this reduction be permitted under the new CUP.
3. *Square Footage of Accessory Limited Service and Retail Commercial Use* – The square footage for accessory uses is limited to 5% of the total gross floor area of the self-care buildings; the Petitioner is proposing 2%.
4. *Maximum Structure Height* – Staff is requesting direction from the Commission on the maximum structure height and more information is provided below.

Staff Recommendations

1. Require a sidewalk along Olive Boulevard.
2. Maintain the existing Greenspace Preservation Area along the northern portion of the site.
3. Allow a structure setback exception of 40 feet for the existing maintenance building vs. the required 50-foot setback.
4. Require the removal of all driveways to the single-family lots on Olive Boulevard and Braefield Drive. This will allow only one access point at the signalized intersection at Olive Boulevard.

Direction Needed

Staff is asking for specific direction from the Planning Commission regarding the *Maximum Structure Height*. The current CUP allows for four stories in height and the Petitioner is proposing one four-story building. The current requirement for the “R-4” District restricts maximum structure height to three stories or a height of 45 feet, whichever is less. The proposed four-story building depicted on the Preliminary Plan meets the 45-foot maximum height restriction but is above the three-story maximum.

Clarification has also been provided by the Petitioner that the previously requested option for a fifth story for a level of parking is no longer needed.

PETITIONER’S PRESENTATION:

Mr. Brandon Harp, Principal at Civil Engineering Design Consultants, 11402 Gravois Road, St. Louis, MO.

Mr. Harp stated he is representing Friendship Village of West County for consideration of an amendment to Conditional Use Permit #36. Friendship Village has purchased and rezoned three properties, totaling about 2 acres, at the southern portion of the property at the corner of Olive and Braefield. A Consolidation Plat has been submitted to the City to consolidate the original tract of land and the three recently-purchase parcels into one tract of land.

The current request is to amend CUP #36 to amend the legal description to include the three new parcels. The current Friendship Village campus includes a lot of old, four-story buildings that do not meet the current market demands for senior living. The intent is to tear the buildings down through a multi-year redevelopment plan.

The Preliminary Plan shows a number of new three-story independent living buildings, an assisted living memory care building, as well as a new entry drive, parking, and circulation to meet fire district requirements.

The existing Conditional Use Permit allows for four-story buildings but the underlying "R-4" District restricts the height to 45 feet or three stories. The proposed four-story building is for the memory care in the assisted living building, which would be located closer to Olive Boulevard. Because of the topography of the site, the four-story building would sit much lower in reference to Olive – it is expected only 20-25 feet of the building would be seen from Olive.

Mr. Harp stated that they would have to come back before the Commission for individual site development plans depicting the architecture, building heights, buffering, landscaping, etc. for each phase of development. The project will be completed in phases with residents living in the older buildings while the new buildings are being constructed, which is why an increase in the number of units and beds is needed. However, these increases will not remain at these numbers once the project is complete.

Discussion

Increase in Units/Beds

Commissioner Tilman noted that the current request asks for an increase from 400 to 550 independent living units and asked for clarification on what this number would be at the end of the project. Mr. Harp stated that currently they intend to provide the following:

- 391 independent living facilities (350 units and 41 villas)
- 100 skilled nursing facility beds
- 60 assisted living memory care units

Tree Preservation

Commissioner Hansen asked for clarification as to whether monarch Tree No. 172, a Bald Cypress, would be preserved. Mr. Harp noted that this tree is in a courtyard area that will be redeveloped with more efficient parking but if the tree can be saved, they will definitely preserve it. He indicated that he will review the matter and report back at the next meeting. Commissioner Hansen stated that she is aware of the parking issues on the site, but hopes that the redevelopment can work around this tree.

Section Plans

Commissioner Wuennenberg requested that page C1 of the Preliminary Development Plan include the homes of Braefield on Section B-B. Mr. Harp stated this will be provided.

Guard House

Commissioner Nolan asked when the Guard House would be constructed as she has concerns about traffic backing up on Olive with construction traffic entering the site. Mr. Harp replied that the Guard House will probably be included in Phase I of the construction and while plans have not been finalized, it is possible that a temporary construction road could be utilized for construction vehicles after they enter the site.

Building Height

Chair Proctor asked for comments from the Commission regarding Staff's request for direction on the maximum building height to be allowed for this development.

Commissioner Wuennenberg stated he has a specific concern with either a three- or four-story building for proposed Building B, the independent living facility, which backs up to Braefield subdivision. He also commented that he would prefer to see a phased-in approach with lower buildings on the outside of the site and taller buildings set further inside the site.

After other comments from the Commission, Chair Proctor stated that it is the consensus of the Commission that there is concern about the proposed height of Building B because of its proximity to Braefield. In addition, the Commission would like to see a transition of building heights within the development.

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 January 11, 2016 Planning Commission Meeting. The motion was seconded by Commissioner Hansen and **passed by a voice vote of 6 to 0.**

VI. PUBLIC COMMENT

A. P.Z. 12-2015 Warwick on White Road (1050 and 1060 White Rd.)

Petitioner:

Ms. Kate Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO stated she was available for any questions.

Speakers in Opposition:

Mr. Dave Saverin, 396 Greentrails Drive South, Chesterfield, MO.

Mr. Saverin stated that it is his understanding that ten homes are to be built on the subject site. Currently there is a driveway that services three properties at the back of the site and there are about 14 property owners who back up to that driveway. He noted his concerns that this driveway will be replaced with a public street that must meet current zoning standards with respect to the installation of sewers and street lighting, which will be very disruptive to the current property owners. Right now there are only 3-4 cars per day using the driveway but the street will add at least 20 cars per day, along with trash service and mail service. He also stated that perhaps an estate zoning with one-acre lots would be more appropriate for the site than the proposed "R-2" zoning as an estate zoning would be less dense and not so impactful.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. OLD BUSINESS

- A. **P.Z. 12-2015 Warwick on White Road (1050 and 1060 White Rd.):** A request for a zoning map amendment from an “NU” Non-Urban District to an “R-2” Residence District for an 8.31 acre tract of land located southeast of the intersection of White Road and Greentrails Drive (18R620266 and 18R340902).

Senior Planner Jonathan Raiche stated that the Public Hearing for this petition was held on January 11, 2016. Because the request is for conventional zoning, the legislation will include neither an Attachment A nor Preliminary Plan. The proposed zoning will be held to all the requirements of the “R-2” District. The required minimum lot size for the development is 15,000 square feet which is compatible with the surrounding neighborhoods of 10,000-15,000 square foot lots. The Petitioner has indicated they intend to develop the site with 10 homes.

At the Public Hearing, the following three items were discussed and addressed:

1. Drainage
2. Buffering
3. Tree Preservation

Mr. Raiche stated that that drainage will be addressed by the City’s standards, along with the standards of the Metropolitan Sewer District. The Petitioner has met with neighboring residents to discuss drainage concerns.

Discussion

Lighting

Commissioner Wuennenberg noted Mr. Saverin’s concern about street lighting and asked for information regarding the standards for street lighting under the “R-2” District. Mr. Raiche replied that one light standard is required every 325 feet with a height requirement of 22 feet. The Lighting Code requires shielding and buffering.

Commissioner Tilman suggested that the lighting and sidewalks be installed on the same side of the street as where the Chesterfield Day School is located, which would move them away from the property line.

It was also confirmed that the site would include adequate buffering to shield adjacent properties from headlights, and that the minimum right-of-way requirement of 50 feet, and pavement requirement of 26 feet is being met.

Drainage

Councilmember Fults asked if the drainage issues which some of the residents are currently experiencing will be corrected by the proposed development. Ms. Nassif reported that because there is about a 15-foot drop on the site, the water currently sheet flows without any controlled direction. The site will be required to meet all the erosion control standards of the City, the Department of Natural Resources, and MSD. In

addition, the water will be directed into a pipe system that goes to Lake on White Road so it will be a better situation than it is now.

Commissioner Tilman asked if the residents responsible for maintaining the lake have been notified that there are plans to add more water to the lake. He stated that he wants to make sure that any additional water directed to the lake will not create any complications. Ms. Nassif replied that there are already pipes in place being used by properties outside of this subdivision to drain to this lake also. The subdivision residents have not been contacted at this time because Staff has not yet received the engineered drawings. However, the property owners who met with Mr. Stock live in this subdivision and he explained to them how the drainage would be directed.

Buffering

Councilmember Fults asked if there has been any discussion with the neighbors to the south with respect to providing adequate buffering to insure privacy. Mr. Raiche replied that there is a required 20-foot landscape buffer which will be put in place between the two properties, which should provide some privacy.

Since the homes sit below the subject site, Councilmember Fults suggested that these homeowners be given their own trees to make their areas more private as she has concerns that the required buffering will not provide adequate privacy.

Tree Preservation

Because engineered plans have not yet been submitted, Mr. Raiche stated that Staff does not know how much grading is required; however, the applicant has indicated that they will make every effort to preserve the three monarch trees mentioned during the Public Hearing.

Commissioner Hansen expressed her hope that the applicant will look very seriously at retaining these monarch trees.

Commissioner Wuennenberg made a motion to approve P.Z. 12-2015 Warwick on White Road (1050 and 1060 White Rd.). The motion was seconded by Commissioner Nolan.

Upon roll call, the vote was as follows:

**Aye: Commissioner Hansen, Commissioner Midgley,
Commissioner Nolan, Commissioner Tilman,
Commissioner Wuennenberg, Chair Proctor**

Nay: None

The motion passed by a vote of 6 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 7:52 p.m.

Steve Wuennenberg, Secretary