

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
MARCH 13, 2017**

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

I. ROLL CALL

PRESENT

Commissioner Wendy Geckeler
Commissioner Merrell Hansen
Commissioner Allison Harris
Commissioner Laura Lueking
Commissioner John Marino
Commissioner James Rosenauer
Commissioner Steven Wuennenberg
Chair Stanley Proctor

ABSENT

Commissioner Debbie Midgley

Councilmember Nathan Roach, Council Liaison
Mr. Nate Ross, representing City Attorney Christopher Graville
Mr. Justin Wyse, Director of Planning & Development Services
Ms. Jessica Henry, Senior Planner
Ms. Cecilia Hernandez, Project Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Proctor acknowledged the attendance of Councilmember Nathan Roach, acting as Council Liaison; and Councilmember Guy Tilman, Ward II.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

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

- A. P.Z. 04-2017 Dierbergs The Market Place:** A request for an amendment to an existing “C-8” Planned Commercial District for an 11.35 acre tract of land located east of Clarkson Road and north of Baxter Road to increase the allowable density to permit an additional 3,800 square feet of supermarket and an additional 2,000 square feet in retail shopping abutting the supermarket.

STAFF PRESENTATION:

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

Comprehensive Land Use Plan

The City of Chesterfield Land Use Plan indicates that the subject site is within the *Urban Core* land use designation.

Requested Changes

The changes requested to the Attachment A are as follows: (changes shown in **bold**)

D. Floor Area and Height Requirements

1. Floor Area

- a. The supermarket shall not exceed ~~seventy-six thousand two hundred (76,200)~~ **eighty thousand (80,000)** square feet in area.
- b. The retail shopping area abutting the supermarket shall not exceed ~~seventeen thousand five hundred (17,500)~~ **nineteen thousand five hundred (19,500)** square feet in area.
- c. The outlot building shall not exceed eleven thousand three hundred (11,300) square feet in area.

Some of the new spaces would be integrated into the use of the supermarket while others would be for new retail tenants within the larger supermarket area. The new retail tenant spaces would be calculated as part of the abutting retail use category rather than the supermarket, which is why the Petitioner is requesting additional space for both of those uses.

The Petitioner is requesting a rounded amount of space above their requested improvements to take into consideration any future minor improvements.

Open Space

The site currently has 15.91% open space with no open space requirements associated with the site. Most of the requested improvements would not impact the current open space because they are either located within a drive aisle or under the building footprint. The only improvement to impact the open space is the proposed enclosed patio, which would impact it by approximately 300 square feet bringing the open space down to 15.86%.

PETITIONER'S PRESENTATION:

The following individuals were present representing the Petitioner:

- 1. Mr. Drew Bextermueller, Director of Real Estate, Dierbergs Markets, 16690 Swingley Ridge Road, Chesterfield, MO.
- 2. Mr. Mark Martin, Director of Construction, Dierbergs Markets, 16690 Swingley Ridge Road, Chesterfield, MO.
- 3. Mr. Terry Dawdy, Architect for the project, 1850 Craigshire Road, St. Louis, MO.

Mr. Bextermueller gave an overview of Dierberg's request noting that they want to remodel the store in order to enhance both the inside and outside of the store location. Dierbergs has been remodeling its other area grocery stores with the most recent ones being at West Oaks in Creve Coeur and Lafayette Center in Manchester. Mr. Bextermueller then provided a PowerPoint presentation showing photos of the proposed improvements, which will include:

- 967 square feet in the deli/meals-to-go area to allow for better access and service;
- Two small expansions (100 sq. ft. and 336 sq. ft.) up front for shopping carts;
- 261 square feet for the enclosed seating area, along with an open patio and planters;
- The relocation of the florist and gift area into the proposed lobby area; and
- A remodel of the pharmacy area to make it more user-friendly.

Improvements will also include the 2,000 sq. ft. tenant space on the far-left side of the store.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION: None

SPEAKERS – NEUTRAL: None

Commissioner Wuennenberg read the Closing Comments for the Public Hearing.

V. APPROVAL OF MEETING SUMMARY

Commissioner Lueking made a motion to approve the Meeting Summary of the February 27, 2017 Planning Commission Meeting. The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 8 to 0.**

VI. PUBLIC COMMENT

The following individuals were present representing the Petitioner for **P.Z. 17-2016 Grand Reserve (Hardesty Development, LLC)**:

1. Mr. Mike Doster, Land Use Attorney on the development team, 16090 Swingley Ridge Road, Chesterfield, MO.
2. Ms. Kate Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO.
3. Mr. Brett Hardesty, 232 Chesterfield Industrial Boulevard, Chesterfield, MO.

Mr. Doster stated that the Petitioners are asking for a straight rezoning for the Grand Reserve development, which does not require a plan to be filed with the City. The developer, however, has developed a plan in order to determine the appropriate zoning. Thirty-five lots are proposed for the site, which is substantially lower than the maximum number of lots permitted under either the "R-3" or "R-4" zoning district. Because of the

configuration of the property, along with the required street and infrastructure improvements, it is impossible to have 10,000 square foot lots as would be required under the “R-3” zoning district. Under the “R-4” zoning, they are proposing 7,500 square foot lots.

Discussion

Since it is the Planning Commission’s responsibility to protect the existing neighborhoods and existing residential patterns of the adjacent “R-3” subdivisions of Chesterfield Plantation, White Plains, and Dolan Place, Commissioner Geckeler suggested a combination of both “R-4” and “R-3” zoning for the subject site. She expressed concern that if the “R-4” zoning were approved, the developer would be allowed attached housing and more than the stated intention of 35 lots, which would make it incompatible with the existing homes in the White Plains subdivision and with the homes on the Hitchcock Road cul-de-sac in Chesterfield Plantation.

Mr. Doster replied that it is not possible to go beyond 35 lots for the subject site considering the configuration of the parcel and the required improvements. He repeated that the intent is to have 35 detached units, which are needed to make the project feasible. He then suggested the possibility of imposing restrictions on the requested “R-4” zoning through the governing ordinance.

Mr. Justin Wyse, Director of Planning & Development Services, referred to the concerns raised about the site being allowed attached housing under “R-4” zoning. He pointed out that a Public Hearing, and vote, will be held on March 27th to amend the R-4 and R-5 districts to correct an error from the Unified Development Code that currently allows attached dwellings in those districts, which was not previously permitted. He pointed out that if the subject site were rezoned to “R-4” and then had a change in ownership, the error in the Unified Development Code would be corrected to allow only single-family use before any change in ownership could occur.

Mr. Wyse added that Staff strongly recommends that conditions not be added to the requested “R-4” zoning as the Petitioners have submitted a solid proposal and it should be considered on its own merits.

It was then agreed that both Ms. Stock and Mr. Hardesty would be allowed to reserve their speaking time until after Staff’s report under the *Unfinished Business* portion of the meeting.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. **18600 Olive Street Rd, Site Development Concept Plan:** A Site Development Concept Plan and Conceptual Landscape Plan for a 5.0 acre tract of land zoned “PI” Planned Industrial District, located south of Olive Street Road west of its intersection with Spirit Airpark West Drive.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Site Development Concept Plan and Conceptual Landscape Plan for 18600 Olive Street Road. The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 8 to 0.**

- B. Canaan Crossing Record Plat:** A Record Plat for a 5.00 acre tract of land zoned “PI” Planned Industrial District, located south of Olive Street Road, west of its intersection with Spirit Airpark West Drive.

Commissioner Hansen, representing the Site Plan Committee, made a motion recommending approval of the Record Plat for Canaan Crossing. The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 8 to 0.**

VIII. UNFINISHED BUSINESS

- A. P.Z. 17-2016 Grand Reserve (Hardesty Development, LLC):** A request for a zoning map amendment from the “NU” Non-Urban District and the “R-3” Residence District to an “R-4” Residence District for a 12.605 acre tract of land located on the south side of Olive Boulevard, approximately 2,200’ east of the intersection of Olive Boulevard and Chesterfield Parkway (18S620427, 18S620812, 18S620823, 18S640184, 18S620087, 18S620834, & 18S640205).

Senior Planner Jessica Henry stated that the Public Hearing for this petition was held on February 27, 2017 at which time there were two speakers in favor of the petition, two speakers in opposition, and one speaker who spoke in a neutral position. There were no issues raised specific to the zoning; however, the Commission did request that Staff prepare a comparison between the “R-3” and “R-4” districts, which was provided in the Staff Report. Ms. Henry then provided additional information as noted below:

| Zoning District | Minimum Lot Size | Maximum # of units* |
|-----------------------------------|-------------------------|----------------------------|
| “R-4” <i>(proposed zoning)</i> | 7,500 sq. ft. | 73 units |
| “R-3” | 10,000 sq. ft. | 54 units |

**It was noted that the maximum number of units shown in the above table does not include the amount of land that would be needed for streets, required 30% tree preservation area, required 20-foot perimeter landscape buffer, and storm water detention basins, which would significantly reduce the maximum number of units.*

Ms. Henry pointed out that the subject area has a number of different subdivisions that were zoned and constructed at different times resulting in districts ranging from “R-1A” to “R-4”, as noted below:

| Subdivision | Zoned | Lot size |
|---------------------------------------------------------------------|--------------------------------------------|-------------------------|
| Shenandoah | R-1A, R-2 and R-3 with a PEU for 497 units | 9,000 sq. ft. minimum |
| Chesterfield Villas | R-4 with a PEU | 4,300 sq. ft. minimum |
| White Plains Dolan Place | R-3 | 10,000 sq. ft. minimum |
| Chesterfield Plantation: 4 homes on Hitchcock Road cul-de-sac | R-3 | 11,282 – 19,340 sq. ft. |

Discussion

Considerable discussion ensued as to whether a combination of “R-3” and “R-4” zoning is appropriate for the subject site. It was pointed out that Chesterfield Plantation, Dolan Place, and White Plains subdivisions all abut the subject site and are all zoned “R-3”. It was suggested that a portion of this area of the site be considered for “R-3” zoning vs. the requested “R-4” zoning.

Ms. Kate Stock of Stock and Associates stated that they require thirty-five 7,500 square foot lot sizes in order to accommodate everything in the Unified Development Code. Ms. Stock then provided the following information:

- The “J” portion of the site, backing up to White Plains subdivision, has a heavy tree canopy and there is no intention to develop it.
- The area adjacent to the cul-de-sac off Hitchcock Road is intended for storm water detention.
- There will be over 100 feet from the right-of-way line at Hitchcock Road to the rear yard setback of those lots abutting Hitchcock.

Since the Petitioner does not intend to build upon the heavily-treed portion of the site, Commissioner Geckeler suggested that zoning that portion to “R-3” would not negatively impact the Petitioner’s plans for 35 homes on 7,500 sq. ft. lots. Ms. Stock pointed out that even if the property changed ownership after “R-4” zoning was approved, the heavily-treed portion of the site could not be developed as a separate piece of property because it would be landlocked without the ability to provide an access drive meeting the standards of Chesterfield.

Mr. Wyse stated that if those areas which are not going to be developed were zoned “R-3”, and all the areas intended for development were zoned “R-4”, it would still allow 7,500 sq. ft. lots.

Mr. Doster pointed out that the area in question will be deeded common ground so it could not be developed in the future. He then indicated that they would agree to a combination of zonings if a vote was taken at this meeting.

After a review of the plans, it was determined that there is a property line that runs through the middle of the woodland area and Ms. Stock indicated that they would be willing to zone to “R-3” from that property line eastward.

Commissioners Wuennenberg, Lueking, and Harris indicated that they were amenable to allowing the “R-4” zoning for the entire site with the understanding that the area adjacent to White Plains subdivision would be deeded common ground.

Commissioner Lueking pointed out that zoning to “R-3” for that area of the site that is heavily-treed would not address her concerns for the two lots at the end of the Hitchcock cul-de-sac. It was noted that the nearest a house could be to those two lots is 100 feet, which satisfied Commissioners Geckeler and Wuennenberg, but Commissioner Geckeler still requested the “R-3” zoning for the area under discussion.

Based upon the input received from Mr. Doster, Commissioner Marino stated that he feels the site should be zoned as requested. He expressed concern that a recommendation is being made that would fundamentally change the Petitioner’s proposal and asked for insight from Staff. Mr. Wyse replied that the City’s Unified

Development Code allows the City to approve an alternative zoning district as long as it is within a similar use category – so approving an “R-3” vs. an “R-4” would be acceptable. The City does not have the authority to modify a planned commercial district to a residential zoning.

After further discussion and a review of the plans, **Commissioner Wuennenberg** made a motion to approve the zoning map request for **P.Z. 17-2016 Grand Reserve (Hardesty Development, LLC)** to the “R-4” Residence District with a portion of the site to be zoned “R-3” Residence District. That portion to be zoned “R-3” is the area of land located between the western property line of the tract identified as “PR Church” and the parallel property line labeled N31° 39’ 43”W 1036.16’ as shown on the **ALTA/NSPS Land Title Survey**. The motion was seconded by **Commissioner Hansen**.

Upon roll call, the vote was as follows:

Aye: Commissioner Lueking, Commissioner Marino, Commissioner Rosenauer, Commissioner Wuennenberg, Commissioner Geckeler, Commissioner Hansen, Commissioner Harris, Chair Proctor

Nay: None

The motion **passed** by a vote of 8 to 0.

B. P.Z. 04-2017 Dierberg’s The Market Place – A request for an amendment to an existing “C-8” Planned Commercial District for an 11.35 acre tract of land located east of Clarkson Road and north of Baxter Road to increase the allowable density to permit an additional 3,800 square feet of supermarket and an additional 2,000 square feet in retail shopping abutting the supermarket.

Project Planner Cecilia Hernandez stated that no issues were raised at the earlier Public Hearing for this petition.

Commissioner Wuennenberg made a motion to approve **P.Z. 04-2017 Dierberg’s The Market Place**. The motion was seconded by **Commissioner Marino**.

Upon roll call, the vote was as follows:

Aye: Commissioner Marino, Commissioner Rosenauer, Commissioner Wuennenberg, Commissioner Geckeler, Commissioner Hansen, Commissioner Harris, Commissioner Lueking, Chair Proctor

Nay: None

The motion **passed** by a vote of 8 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:09 p.m.



Steve Wuennenberg, Secretary