

**PLANNING COMMISSION  
OF THE CITY OF CHESTERFIELD  
AT CHESTERFIELD CITY HALL  
MARCH 25, 2013**

The meeting was called to order at 7:02 p.m.

**I. ROLL CALL**

**PRESENT**

Mr. Bruce DeGroot  
Ms. Wendy Geckeler  
Ms. Laura Lueking  
Ms. Debbie Midgley  
Ms. Amy Nolan  
Mr. Stanley Proctor  
Mr. Steven Wuennenberg  
Chair Michael Watson

**ABSENT**

Mr. Robert Puyear

Councilmember Randy Logan, Council Liaison  
City Attorney Rob Heggie  
Ms. Aimee Nassif, Planning & Development Services Director  
Mr. Justin Wyse, Senior Planner  
Ms. Purvi Patel, Project Planner  
Ms. Mary Ann Madden, Recording Secretary

**II. PLEDGE OF ALLEGIANCE**

**III. SILENT PRAYER**

Chair Watson acknowledged the attendance of Councilmember Randy Logan, Council Liaison; Councilmember Elliot Grissom, Ward II; and Councilmember Connie Fults, Ward IV.

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

- A. P.Z. 05-2013 Monarch Center (JLA Development, LLC):** A request for an ordinance amendment to a “PC” Planned Commercial District to add a 0.85 acre parcel of land currently zoned “M-3” Planned Industrial District to an existing “PC” Planned Commercial District and to modify development standards of the “PC” Planned Commercial District totaling a 10.94 acre area of land located north of Edison Avenue and east of Long Rd. (17U120188 and 17U120100).

**STAFF PRESENTATION:**

Senior Planner Justin Wyse gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Wyse stated the following:

- All State and local statutory requirements for the Public Hearing were met.
- The aerial below shows the Monarch Center Development in red. The site includes a large undeveloped portion, which is the existing “PC” Planned Commercial District. The small portion of developed property on the northwest side of the site includes an office building and parking lot. This area is currently zoned “M3” Planned Industrial District, and is proposed to be included into the “PC” Planned Commercial District.



- The site is surrounded by a fair amount of “PI” Planned Industrial District with “PC” Planned Commercial Districts centered on the intersection of Edison and Long Roads.
- The proposed plan includes several changes, most notably the inclusion of the developed “M3” parcel into the development.

The following table depicts a comparison between Existing Regulations of the Monarch Center and Wildhorse Dental Office vs. Proposed Regulations

Description	Existing Regulations	Proposed Regulations
<b>Preliminary Plan</b>	Bank Restaurant Retail Office development	Gas station with convenience store Drive-thru restaurant Retail Office development Addition of free-standing ATM Changes in structure setbacks to accommodate canopy associated with the gas station
<b>Maximum Height</b>	40 ft. (Monarch Center) 2 stories (Dental Office)	No change. Propose to consolidate the entire ordinance under the maximum height of 40 ft.
<b>Density</b>	64,025 sq. ft. (Monarch Center) No Density Specified for Dental Office	71,500 sq. ft. for entire development: ➤ 64,500 sq. ft. (Monarch Center) ➤ 7,000 sq. ft. (Dental Office)

Mr. Wyse stated that the primary changes to the Preliminary Plan are on the western portion of the site and include:

- Relocating parking for the existing office building to the rear of the building;

- Utilizing the current access on Long Road for both the existing office building and the remainder of the site;
- Gas station with convenience store and canopy;
- Free-standing ATM; and
- Changes to the setbacks to reflect the inclusion of additional property to the site.

The Comprehensive Land Use Plan designates the site as *Mixed Use Retail/Office/Warehouse District*, which allows retail, low- and mid-density office, and office-warehouse facilities.

Staff Open Items:

- Awaiting agency comments

## DISCUSSION

### Original Ordinance/Landscaping

Commissioner Lueking requested a copy of the original ordinance for the site as she is interested in reviewing the landscaping requirements. Mr. Wyse indicated that the ordinance was approved in February 2007 and will be made available to the Commission. He then noted that the ordinance requires 35% open space and includes language relative to a decreased Floor Area Ratio; enlarged landscaping islands between each row of parking; installation of public art; inclusion of outdoor seating and plaza areas; and inclusion of pedestrian walkways. For clarification purposes, Mr. Wyse pointed out that the Petitioners are not proposing to change any of these requirements.

### Dental Building

Commissioner Geckeler noted that most of the building expansion will be to the dental building and asked if it will remain a dental building. Mr. Wyse replied that at this point he has not seen anything to indicate that it is being changed; however, under the proposed ordinance it could be re-purposed for a different use unless a restriction is put in place for the uses on Building Group F.

### Gas Station

Commissioner Geckeler asked if the gas station is currently an approved use. Mr. Wyse replied that the gas station is in the existing ordinance as an approved use.

### Curb Cuts

Commissioner Nolan inquired into the number of curb cuts for the site.

Mr. Wyse noted the following curb cuts being proposed:

- Three (3) proposed curb cuts on Edison. These curb cuts are part of a separate agreement between the City and the Developer which stem prior to the dedication of the right-of-way for Edison.
- A proposed right-in only off of Long Road.
- Proposing to utilize the existing curb cut currently being used for the existing office building, which would be re-purposed to serve the entire development.

There is language in the existing ordinance, which will be included in a new draft ordinance that indicates that any additional curb cuts, or changes to the curb cuts, will be subject to City, County, and MoDOT review and approval.

Ms. Aimee Nassif, Planning and Development Services Director pointed out that a Traffic Study will also be required during Site Plan review for the gas station, which will determine the curb cuts, and their limits, along Long Road.

**PETITIONER'S PRESENTATION:**

1. Mr. Mike Doster, Attorney representing the Petitioner, 16090 Swingley Ridge Road, Chesterfield, MO stated the following:
  - They are not seeking a change to any of the uses. All of the uses involved in the amendment have already been approved under the existing ordinance, including the dental use.
  - There will be no change to the Floor Area Ratio (FAR), which will remain at .15.
  - There will be no change to the open space, which is currently 35%.
  - Since the passage of the site-specific ordinance in 2007, a new PC ordinance has been established so the new Attachment A will reflect those upgrades. Specifically, the terminology for the uses will look a little different.
  - The additional square footage of 7,000 square feet will be allocated only to Building F to accommodate the current dental building and a planned expansion.
  - Some advantages of incorporating the dental building into the site are:
    - The old "M3" zoning on the site will be eliminated.
    - The dental building will now operate on a sanitary sewer vs. the current septic system.
    - There will be a common access utilizing the approximate location of the current curb cut for the dental office building.
2. Mr. Brandon Harp, Civil Engineering Design Consultants Inc., 11402 Gravois Road, St. Louis, MO was available for any site plan-related questions.

**SPEAKERS IN FAVOR:**

1. Ms. Sarah Siegel, representing Dr. Larson, the owner of Building F, 920 Albey Lane, St. Louis, MO was available for any questions related to Building F.

**SPEAKERS IN OPPOSITION:** None

**SPEAKERS – NEUTRAL:** None

**ISSUES:**

Provide details and clarification on some of the specifics required in the existing ordinance.

**DISCUSSION**

**Uses**

Mr. Wyse then reported that the Petitioners have agreed to update their uses from the previous ordinance. The new Attachment A will appear to have a longer list of uses because when the uses were updated in 2009, a number of them were split up. Staff is working with the Petitioners to bring forward a set of uses that matches the existing ordinance.

Chair Watson asked if all the permitted uses will also pertain to Building F. Mr. Wyse stated that they will.

### **Cross Access**

Commissioner Lueking asked for clarification on cross access for the site. Mr. Wyse noted that the existing curb cut for the dental building will allow access to the rest of the site, to the gas station/convenience store, and to the ATM. There is also a requirement in the current ordinance for a cross access easement to the property to the north, which the existing curb cut could service too.

### **Setback Changes**

Commissioner Geckeler asked for information on the setback changes on the western side of the property. Mr. Wyse stated that the existing setback from the western property line for Building A (gas station/convenience store) is 80 feet; the Petitioners are proposing to maintain the 80-foot setback for the structure but are requesting an allowance that would permit the gas station canopy to be located closer to the property line (an approximate 50-foot setback).

Staff is working with the Petitioners to establish a separate setback for the ATM.

Setbacks for Building F will most probably be defined separately to allow the existing building to remain in compliance as it stands today. If the building were to be reconstructed, it is anticipated that conditions would be established that would require a 30-foot landscape buffer along Long Road.

### **Original Rezoning/Enhanced Landscaping**

Commissioner Lueking requested information about the negotiations that were made during the original rezoning process. Ms. Nassif stated that when the 2006 zoning was submitted, the Developer requested a reduction in the open space requirement, which was approved. Because this is such a high-profile site, language was added to the ordinance that the City would be looking for some additional enhanced landscaping especially on the corner around Long and Edison, along with the possibility of art work, outdoor plaza areas, and pedestrian areas.

Ms. Nassif suggested that the Developer provide a statement to the Planning Commission indicating how such landscaping enhancements will be addressed at the Site Plan stage.

### **Parking Requirements**

Ms. Nassif asked Mr. Wyse to provide information about the parking requirements for the gas station use and whether there will be any parking challenges or issues with the dental office building.

### **Car Wash**

Councilmember Logan noted that Building A proposes a car wash but doesn't show a separate building for the car wash. He asked if the car wash is to be part of the convenience store/gas station building. Mr. Wyse indicated that at this point they are not proposing a separate stand-alone structure for the car wash.

Councilmember Logan asked if the Attachment A will include a restriction that requires the car drying area to be separated from the drive-thru area. Mr. Wyse felt language could be included in the ordinance to address this concern.

Ms. Nassif asked for clarification from Chair Watson whether this concern should be reviewed by Staff at this time rather than waiting until it goes before Council. It was agreed that Staff should look into addressing the issue at this time.

### **Gas Stations**

Commissioner DeGroot commented that there will be four gas stations in the immediate area, which he felt may be excessive.

Chair Watson inquired into the parking requirements for a gas station/convenience store as he has a concern that the site may not be able to park such a use. Ms. Nassif noted that parking requirements for a car wash are 2 spaces for every 3 employees on shift; gas stations require 4.5 spaces per 1,000 sq. ft.; and a traditional fast-food restaurant requires 15 spaces per 1,000 sq. ft. Mr. Wyse added that parking would be addressed on the Site Plan; if they are unable to meet the parking requirements, they would have to scale it back.

### **REBUTTAL**

Chair Watson asked Mr. Doster if he would like to address any of the comments made. Mr. Doster stated that he will respond after the Issues Letter has been received.

#### **B. P.Z. 06-2013 Mercy Health System (Chesterfield Village, SE Quadrant):**

A request for an ordinance amendment to modify the boundaries of the "UC" Urban Core District to incorporate two parcels zoned C-8 Planned Commercial District into the "UC" Urban Core District totaling 43.35 acres located north of Chesterfield Parkway and east of Elbridge Payne Rd. (19S531791, 19S531801, 18S210028, 18S210149, 18S210073, 18S210062, 18S220148, 18S220171, 18S220061, 19S531922, and 18S210138).

### **STAFF PRESENTATION:**

Senior Planner Justin Wyse gave a PowerPoint presentation showing photographs of the site and surrounding area. Mr. Wyse stated the following:

- All State and local Public Hearing notification requirements were met.
- A change of zoning for the 40-acre site was previously approved to establish an Urban Core District for the Mercy Campus. Since then, the Petitioners have acquired two additional parcels. They are now requesting an ordinance amendment to bring those parcels into the existing Urban Core District and establish development criteria for the two parcels. The two parcels are located on the northwest and southwest sides of the site.

The following table depicts a comparison between Existing Regulations vs. Proposed Regulations for 1350 Elbridge Payne Road (*existing triangle building on the north side of the site*)

Description	Existing Regulations ( <i>triangle building</i> )	Proposed Regulations
	<u>Site Plan</u> : One existing office building with associated parking	Remove existing office building Construct new building as part of Mercy campus
Maximum Height	2 stories	750 feet above MSL if "UC" regulations extended
Density	26,900 sq. ft. of office / financial / storage	If "UC" regulations extended, 0.55 FAR and included with entire development

The following table depicts a comparison between Existing Regulations vs. Proposed Regulations for 1281 Chesterfield Parkway East (*undeveloped portion of land located along Chesterfield Parkway immediately east of P. F. Chang's building*)

Description	Existing Regulations ( <i>undeveloped land</i> )	Proposed Regulations
	<u>Site Development Concept Plan</u> : 2-story office building	<u>Preliminary Plan</u> : No building plans for the property at this time.
Maximum Height	2-3 stories depending on its proximity to Chesterfield Parkway	700 feet above MSL if "UC" regulations extended
Density	Currently, density is based on the entire development. The Site Development Concept Plan shows a 24,300 sq. ft. building.	If "UC" regulations extended, 0.55 FAR and included with entire development

#### Density

Mr. Wyse explained that the ordinance for Elbridge Payne allows a maximum of 170,000 sq. ft. plus a free-standing restaurant not to exceed 15,000 sq. ft. As the adjacent parcel is pulled out of the existing Elbridge Payne ordinance and pulled into the Mercy ordinance, it would allow additional density on the Elbridge Payne site as well.

#### Preliminary Plan

- Staff has been working with the Petitioner on modifying the setbacks to come closer in line with the Mercy ordinance.
- On the northwest side of the site, the triangle building will be replaced with a new building for the Mercy campus.
- There are minor modifications to some of the building footprints but no changes to the density.
- The existing height restriction of 300 feet from Chesterfield Parkway is still shown across the site.
- There is retention of common open areas along the south side providing a natural buffer, as well as a park-like feel on the interior of the development.
- All other areas of the Preliminary Plan remain unchanged.

### Urban Core District

The existing Urban Core District is part of the urban core as defined on the Comprehensive Land Use Plan. Both of the parcels that are being requested to be added into the ordinance are also included within the Urban Core District.

### Staff Open Items

- Preliminary Plan details, specifically some of the setbacks shown on the southwestern parcel.
- Impact to Elbridge Payne entitlements
- Awaiting agency comments

## **DISCUSSION**

### **Property to the Southwest – 1281 Chesterfield Parkway East**

Commissioner Wuennenberg asked if there are any plans yet for the undeveloped property near P. F. Chang's. Mr. Wyse stated that it is his understanding that there are not any specific plans at this time.

### **Setbacks**

Questions were raised about the setbacks for the site. Mr. Wyse explained that there is a minimum landscape buffer requirement of 30 feet along a collector or arterial road. On the eastern side of the existing Mercy development, the Petitioners have agreed to a 100-foot setback to preserve the existing vegetation and to offset their request for a decreased drive aisle setback along the western side.

Chair Watson asked if the 100-foot setback would also apply to the property at 1281 Chesterfield Parkway East. Mr. Wyse replied that, as currently proposed, the setback would not apply. Chair Watson stated that the Commission had previously expressed concern about the presence of buildings being too close to Chesterfield Parkway and to the neighboring Brandywine Condominium complex. He asked that Staff review this concern.

Commissioner Nolan asked what the setback would be for the proposed new building in the area where the existing triangle building now sits. Mr. Wyse stated that since the development now includes more "nooks and crannies", Staff will be bringing forward setbacks that reference a plan for the Commission's consideration.

Commissioner Lueking asked for the existing setback requirements for the triangle building. She noted that the Preliminary Plan shows the proposed multi-story building in this area as having a 20-foot building setback and the corner of the building is right at 20 feet. Mr. Wyse indicated that he would research the matter and provide clarification.

### **Density**

Commissioner Lueking asked for clarification about the increase in square footage. Mr. Wyse stated that the square footage currently in the ordinance is 71,490 square feet; but this does not take into account the removal of the existing triangle building. The request would increase the density by approximately 40,000 square feet on a million-square-foot development.

### **Building Heights**

Commissioner Lueking asked for clarification of building heights – stories vs. mean sea level. Mr. Wyse stated that the buildings closest to Chesterfield Parkway are to be built at 700 feet above mean sea level – buildings further north, away from the Parkway, are allowed to be taller. Buildings at 700 feet above mean sea level equals 2-3 stories; 750 feet above mean sea level can be up to 5 stories in height.

### **Clarification from Petitioner**

At this point, Mr. George Stock of Stock & Associates was asked to come to the podium to clarify some of the issues raised.

#### **1. Building Heights**

Mr. Stock confirmed that buildings built at 750 feet above mean sea level allows a maximum height of 5 stories; the Conceptual Plan shows a 3-story building. He also noted that they have increased the amount of green space along Chesterfield Parkway by relocating a previously-proposed 3-story building in this area further north on the site.

#### **2. Setbacks – Triangle Building**

Mr. Stock then provided clarification about the setback for the proposed building where the triangle building now sits. He noted that the triangle building sits along a 20-foot setback for its entire length; the proposed 3-story building would have only one corner hitting the 20-foot setback. The green area has also been increased along the front in that corner of the site.

#### **3. Parcel at Southwest Part of Site**

Ms. Nassif then asked for information about plans for the parcel being purchased at the southwest part of the site. Mr. Stock stated that because it is such a small parcel, it would be non-buildable if it is bisected with a 100-foot setback. He noted that there is an existing 30-foot landscape buffer, to which they would adhere. Currently, there is no intention of placing a building on this property unless there would be additional assemblage of land to the north. The subject parcel is currently undeveloped and a 1/3 of it is encumbered by a parking lot with an agreement with P. F. Chang's. The parcel is being seen as a landscape feature and entry portal from Elbridge Payne coming into the campus.

Chair Watson asked for clarification about the maximum height for any future building that may be constructed on this parcel. Mr. Stock confirmed that the maximum height is 700 feet above mean sea level.

Commissioner Geckeler asked if the Petitioners have any objection to extending the 100-foot buffer along this piece of property. Mr. Stock indicated that they do have a concern with extending it at this time.

Commissioner Geckeler then asked if any of the buildings of the Brandywine complex are near this piece of property. Mr. Wyse indicated that there are Brandywine buildings immediately to the south of this area.

## **PETITIONER'S PRESENTATION:**

1. Mr. Mike Doster, Attorney representing the Petitioner, 16090 Swingley Ridge Road, Chesterfield, MO.

Mr. Doster stated that the southern parcel is a buildable parcel under Elbridge Payne's ordinance so they want to preserve the possibility that it could be built on in the future; but at this point, there are no plans to build on it.

## **DISCUSSION**

Councilmember Logan referred to the southern property that has been acquired and noted that it shows a curb cut off of Elbridge Payne and asked if this would be the only curb cut for this property. Mr. Doster indicated that it would be the only curb cut.

2. Mr. George Stock, Stock & Associates, 257 Chesterfield Business Parkway, Chesterfield, MO was available for questions.

## **DISCUSSION**

### **Parcel at Southwest Part of Site**

If property is acquired to the north of the undeveloped southern parcel and a building is constructed upon it, Commissioner Midgley asked if the curb cut would then be off Elbridge Payne Drive rather than Chesterfield Parkway. She also questioned what could be built taking into account that it is divided by Elbridge Payne Drive. Mr. Stock stated that if they were to acquire property to the north and make plans to build upon it, they would be more amenable to the 100-foot setback because there would be additional property upon which to build. As the property is today with the 30-foot setback, it is buildable. If it is bisected with a 100-foot setback, it is not buildable.

Chair Watson stated that the Commission still has concerns about the visibility of the Mercy site from the Brandywine complex. Mr. Stock stated that they completely understand these concerns.

### **Landscaping – Clarkson Road**

Commissioner Lueking asked if any trees would be removed for construction of the proposed building in the triangle area. Mr. Stock replied that they are placing more green space in this particular area of the site; however changes will occur that will probably require new landscaping but there will be more green space adjacent to Clarkson Road than what is currently there.

### **Traffic Impact**

Commissioner DeGroot asked if a Traffic Study has been completed in connection with how this development will affect the traffic on Clarkson Road. Mr. Wyse replied that Staff is in the process of working with numerous agencies regarding the traffic impact; it is hoped that in the near future there will be some definitive answers addressing this issue.

Ms. Nassif added that Staff has been meeting with MoDOT, Federal Highways, County and the Petitioners on a regular basis regarding this concern. She noted that a Site Plan will not be presented to the Commission until the Traffic Study is complete. In addition, there is a limit on the amount of construction that can occur before certain road improvements are complete.

**SPEAKERS IN FAVOR:** None

**SPEAKERS IN OPPOSITION:**

Mr. Thomas Schulze, representing Brandywine Condominiums, 15631 Hedgeford Court, Chesterfield, MO stated he would pass speaking as enough commentary has been presented that Brandywine feels a little more comfortable at this time.

**SPEAKERS – NEUTRAL:** None

Commissioner Wuennenberg read the Closing Comments for the Public Hearings.

**V. APPROVAL OF MEETING SUMMARY**

Commissioner Lueking made a motion to approve the Meeting Summary of the March 11, 2013 Planning Commission Meeting. The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 8 to 0.**

**VI. PUBLIC COMMENT**

**A. Arbors at Wild Horse Creek:**

Mr. Nick Liuzza, McBride & Son Homes, 16091 Swingley Ridge Road, Chesterfield, MO speaking in favor of Arbors at Wild Horse Creek stated he was available for questions regarding the amended architectural elevations.

Commissioner Lueking noted that wing walls are shown on the unnamed elevation and asked if they will be standard on this particular elevation. Mr. Liuzza replied that on this particular elevation, the wing walls will be standard. He added that the wing walls are an option that is offered on all the other elevations.

**VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS**

**A. Arbors at Wild Horse Creek:** Amended Architectural Elevations and Architect's Statement of Design for a 23 acre tract of land zoned "PUD" Planned Unit Development located on the south side of Wild Horse Creek Road west of its intersection of Long Road and east of its intersection with Wild Horse Parkway Drive.

Commissioner DeGroot, representing the Site Plan Committee, made a motion recommending approval of the Amended Architectural Elevations for Arbors at Wild Horse Creek. The motion was seconded by Commissioner Wuennenberg and **passed by a voice vote of 8 to 0.**

**VIII. OLD BUSINESS - None**

**IX. NEW BUSINESS**

For future ordinance amendments, Ms. Nassif asked if the Commission would like copies of the existing ordinance to be included in the meeting packets with the Public Hearing Report. Chair Watson stated this would be very helpful.

**X. COMMITTEE REPORTS - None**

**XI. ADJOURNMENT**

The meeting adjourned at 8:14 p.m.

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Bruce DeGroot, Secretary