

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
MEETING SUMMARY
SEPTEMBER 30, 2020**

The meeting was called to order at 7:01 p.m.

I. ROLL CALL

PRESENT

ABSENT

Commissioner Allison Harris
Commissioner John Marino
Commissioner Debbie Midgley
Commissioner Nathan Roach
Commissioner Gene Schenberg
Commissioner Jane Staniforth
Commissioner Guy Tilman
Commissioner Steven Wuennenberg
Chair Merrell Hansen

Mayor Bob Nation
Councilmember Dan Hurt, Council Liaison
Mr. Christopher Graville, City Attorney
Mr. Justin Wyse, Director of Planning
Mr. Mike Knight, Assistant City Planner
Mr. Chris Dietz, Planner
Ms. Mary Ann Madden, Recording Secretary

Chair Hansen acknowledged the attendance of Mayor Bob Nation; Councilmember Dan Hurt, Council Liaison; Councilmember Ben Keathley, Ward II; Councilmember Mary Ann Mastorakos, Ward II; and Councilmember Michael Moore, Ward III. She then introduced Commissioner Nathan Roach who was recently appointed to the Planning Commission.

II. PLEDGE OF ALLEGIANCE

III. SILENT PRAYER

IV. PUBLIC HEARINGS - Commissioner Schenberg read the "Opening Comments" for the Public Hearings.

- A. P.Z. 06-2020 Conway Point Office (SMS Group): A request to repeal and replace Ordinance 2463 to establish a new "PC" Planned Commercial District to modify development criteria for a tract of land totaling 1.492 acres located at the southwest corner of the intersection of Chesterfield Parkway East and Conway Road (18S310557).**

STAFF PRESENTATION:

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

Site History

In 2007, the site was rezoned from “R-3” Residential District to “PC” Planned Commercial District. This was followed in 2008 with the ordinance being repealed and replaced to update the legal description and development criteria to accommodate a Site Development Plan for a bank building which was put on hold indefinitely and never built. In 2017, the same applicant as the subject petition petitioned to rezone the neighboring development at 15320 Conway Road into a new “PC” Planned Commercial District.

Request

The current request is an extension of the petition approved for 15320 Conway Road to create a unified development between the two properties. The petition would repeal and replace the governing ordinance to modify the existing development criteria to accommodate a ±13,000 sq. ft. commercial building.

The development criteria would be modified in three areas: *Permitted Uses*; *Setbacks*; and *Open Space*. It was also noted that the ordinance would be updated to reflect current language in the Unified Development Code.

Proposed Permitted Uses

- | | |
|--|--------------------------------|
| 1. Art Gallery | 7. Office - General |
| 2. Art Studio | 8. Office – Medical |
| 3. College/University | 9. Recreational Facility* |
| 4. Financial Institution (No Drive-Thru) | 10. Veterinary Clinic |
| 5. Museum | 11. Specialized Private School |
| 6. Office - Dental | |

* Limited to gymnastics facility, dance, cheer, fitness center, group fitness or athletic training.

The proposed uses are identical to those of the adjacent development at 15320 Conway Road with the following exceptions:

- *Specialized Private School* is not a permitted use at the adjacent site; and
- The *Recreational Facility* at the adjacent site is limited to a gymnastics facility or fitness center.

Setbacks

Structure Setbacks	Existing	Proposed	15320 Conway Rd
Conway Road	86'	25'	20'
I-64	50'	10'	10'
East	20'	60'	20'
West	60'	5'	20'
Parking Setbacks			
Conway Road	18'	5'	5'
I-64	18'	5'	5'
East	13'	13'	5'
West	10'	5'	5'

The proposed parking setbacks also impact the landscape buffers that are required along all arterial and collector roadways – I-64, Chesterfield Parkway East, and Conway Road. If the proposed parking setbacks are approved, those setbacks and landscape buffer depths will essentially become one and the same.

Open Space

The current ordinance requires a minimum of 40% open space; the Applicant is requesting a reduction to 35% open space, as permitted by the Unified Development Code for all Planned Districts. It was noted that the neighboring Planned Commercial districts have lower open space requirements with 26% at Fairfield Suites and 30% at 15320 Conway Road.

Preliminary Plan and Tree Stand Delineation

The Preliminary Plan shows the proposed location of the new building footprint and parking area. Access to the property is gained from the neighboring property to the west off of Conway Road. Because of the amount of grading required for the site, and location of the cross-access easement, most, if not all, of the site will likely have to be clear-cut, requiring tree mitigation at the site development plan stage.

Discussion

The following items were discussed and clarified as necessary:

Specialized Private School Use

Mr. Dietz confirmed that the *Specialized Private School* use is allowed in Planned Commercial districts.

Parking Setbacks

The parking setbacks for Fairfield Suites, across the street from the subject site, were compared to the proposed setbacks:

Parking Setbacks	Subject Site (proposed)	Fairfield Suites
Conway Road	5'	10'
Chesterfield Parkway East	13'	15'
West	5'	5'

Commissioner Wuennenberg stated his desire to see the proposed parking setbacks match those of Fairfield Suites.

Landscaping

Because the subject site is highly visible from Chesterfield Parkway, Chair Hansen noted that landscaping will need to be closely reviewed due to the water retention areas.

Commissioner Schenberg expressed concern about the landscape buffers being reduced around the property because of the reduced parking setbacks.

Building Elevation

It was noted that the back of the proposed building could be highly-visible to motorists, which needs to be taken into consideration when reviewing elevations.

PETITIONER’S PRESENTATION:

Mr. Sean Sortor, Owner of subject site, 1717 Wilson Avenue, Chesterfield, MO.

Mr. Sortor stated that their goal is to create a unified development with 15320 Conway Road and to make it visually appealing since this property is the entrance to Chesterfield. The intent is to have a building similar to the one approved for 15320 Conway with similar styles and color schemes.

Mr. Sortor then responded to the issues raised by the Commission:

Specialized Private School

Mr. Sortor indicated that if this use is a concern, they are open to removing it.

Setbacks/Public Art

Mr. Sortor noted that the proposed parking setback of 5’ along Conway Road matches the 5’ parking setback approved for 15320 Conway Road. They are proposing the 5’ setback in order to achieve more green space within the central part of the property for the possible display of public art. He pointed out that there is an extensive buffer of 13’ along the eastern boundary (Chesterfield Parkway), but they are open to modifying it to 15’ to match the setback of Fairfield Suites.

Councilmember Hurt inquired as to whether the public art area could be moved to the east side of the building with more parking to the north, which would allow motorists exiting the highway the ability to see the artwork. Mr. Sortor stated that there is an issue with water detention which they are addressing with rain gardens, but they will review Councilmember Hurt’s suggestion to determine if it’s feasible for the site.

SPEAKERS IN FAVOR: None

SPEAKERS IN OPPOSITION:

Ms. Kelli Unnerstall, Citizens for Developing Downtown Chesterfield, 14649 Summer Blossom Lane, Chesterfield, MO.

Ms. Unnerstall noted the following concerns:

- Reduction in the amount of open space for the site, and
- Reduced landscape buffers

SPEAKERS – NEUTRAL: None

- B. Comprehensive Plan Update: An update to the City of Chesterfield Comprehensive Plan

STAFF PRESENTATION:

Mr. Justin Wyse, Director of Planning, explained that the draft Comprehensive Plan involved a process which included extensive engagement from citizens, property owners, elected officials, appointed officials, and City staff. During the process, a number of repeated themes were heard, including:

- A desire to retain green space
- Connectivity through walking and biking
- A sense of place
- Re-imagining the Mall site
- A vibrant downtown concept

Mr. Wyse then summarized the seven chapters of the Plan.

Chapters 1-4

The first four chapters explain the “who, what, where and why” of the plan through *The Introduction, The Planning Process, About Chesterfield, and A New Way Forward*.

Chapter 5 – Chesterfield’s Vision

The Chesterfield community envisions a city in 2040 that embraces change, paving the way for improvements that enhance the quality of life for existing and future residents. This chapter includes the *Future Land Use Plan* and three character areas, discussed in more detail below.

1. Open Space Character Area

The *open space character area* is made up of two land use designations – (1) *parks and recreation*, and (2) *conservation areas*. The Future Land Use Plan specifically notes the desire for planned residential developments to promote open space and preservation of natural areas which may cluster new construction.

2. Suburban Character Area

The *suburban character area* includes the following land use designations and captures the vast majority of land within the city.

- Business & Office - Predominately runs on the north side of I-64 and along 141, and includes larger suburban office developments.
- Industrial – Includes the Spirit of St. Louis Airpark and business parks with uses that support the airport. Uses include manufacturing, warehousing, distribution, and similar uses.
- Mixed Residential –The vast majority of sites designated as *Mixed Residential* are currently developed. Policies include buffering from adjacent land uses, use of transitional landscaping and buildings, and promotion of open space within these areas.
- Neighborhood Center – The plan notes that these areas should provide goods and services to surrounding neighborhoods, and that site design should promote walkability of the sites in connection to adjacent areas. Sites designated as *Neighborhood Centers* are currently located in existing areas, except for two areas: (1) along Clarkson Road, and (2) at Baxter & Wild Horse Creek Roads.
- Regional Commercial – These are areas located in levee-protected areas within the Chesterfield Valley, generally along the I-64 corridor. These areas promote regional commercial needs that emphasize retail, dining, entertainments, hotel, and leisure components.
- Suburban Neighborhoods - It is noted that Chesterfield’s residents love their neighborhoods and do not want to see them change. Consequently, the plan promotes this idea by stating that these areas of the city generally have uniform housing densities of single-family homes, and recommends that new development in these areas reinforce existing residential development patterns.

3. City Center Character Area

What was heard during this process is that the City Center is an opportunity for the City, and that the cornerstone of this area should be the culmination of all of those things that have been expressed: recreation, green space, more than a shopping destination, a

sense of place, and a vibrant downtown. This feedback serves as the cornerstone of the future envisioned in the plan.

The City Center includes four distinct areas:

- An urban transition area which contains the Wildhorse Village project located around the lake near the YMCA, along with Category C on the north side.
- Downtown area – located around the existing mall area to include the highest density developments.
- Corporate Village – includes a mix of uses - City Hall, RGA, Bayer, Pfizer, and Alexander Woods subdivision are within this category.
- Historic Chesterfield – located along Old Chesterfield Road with existing bungalows that can be supported by new development on the north side of the road.

The 2009 Comprehensive Plan states that:

The Urban Core should be developed to contain the highest density of mixed-use development in Chesterfield. It should serve as the physical and visual focus for the City and include both residential and commercial developments with parks, municipal services, and preservation of historic structures and areas, with cultural, entertainment and pedestrian amenities for its residents.

And

High-density development encourages clustering of buildings with diverse building form through minimum restrictions for building height, open space and setback requirements. The Urban Core should accommodate office, retail, high-density housing, government facilities, multi-modal transportation, cultural and entertainment facilities, and park space. Horizontal and vertical integration of uses is encouraged.

As proposed, the plan refines the vision of the Urban Core into the City Center and designates separate areas within the City Center to allow for policies that apply to each area recognizing the differences.

Chapter 6 – Goals and Strategies

Identifies defined goals, along with detailed strategies that will help the City realize the community-supported vision.

Chapter 7 – Next Steps

City officials should use the plan as a key resource when considering new policies, planning and programming new infrastructure, evaluating new development applications, and coordinating with outside agencies.

SPEAKERS IN FAVOR:

1. Mr. Tim Lowe, Vice-President of Leasing & Development, The Staenberg Group, 2127 Innerbelt Business Center, St. Louis, MO.

Mr. Lowe stated that The Staenberg Group is the owner of the failed Chesterfield mall site, and they are in full support of the updated Comprehensive Plan. They were excited to be included in the process where he personally participated in many of the public

meetings. The failure of the mall has created an opportunity to create downtown Chesterfield. Their vision for downtown includes “a high-end, mixed-use urban downtown environment with multi-story office, high-density residential, retail, restaurants, a hotel, supermarket, health club, and other complementary uses”. Public amenities are also planned with parks, bike trails, and walking paths. In order for downtown to be feasible and sustainable, the Comprehensive Plan vision must allow for a high-density, mixed-use development. Both multi-story office and high-density residential are critical key components to its success, along with retail/restaurant. They are currently in the process of working on a master plan for downtown Chesterfield and hope to have something within the next 30-60 days.

2. Mr. Christopher R. Fox, President & CEO, Gershman Commercial Real Estate, 400 Chesterfield Center, Ste. 500, Chesterfield, MO.

Mr. Fox stated that Gershman Commercial Real Estate acquired the Sachs property portfolio a year ago in and around the current mall site, totaling 850,000 sq. ft. of space. With the changing dynamics of retail, the mall site is no longer viable. They feel that the vision outlined in the updated Comprehensive Plan makes Louis Sachs’ vision for the area current. They support the plan and TSG’s efforts to redevelop the mall.

3. Mr. Mike Doster, Land Use Attorney for The Staenberg Group, 16839 Chesterfield Bluffs Circle, Chesterfield, MO.

Mr. Doster stated that the failed mall presents an opportunity to move the downtown area “to where it properly belongs”. He noted that there is now a developer-owner with a proven track record of development in Chesterfield who can bring the expertise and resources to make downtown happen. They view the proposed plan as containing the proper vision and the necessary characteristics to have a feasible and sustainable downtown. They support the plan and hope the Commission adopts it. Mr. Doster added that, as a resident, he also fully supports the plan.

4. Ms. Wendy Geckeler, 26 Chesterfield Lakes Road, Chesterfield, MO.

Ms. Geckeler’s email, received earlier today, was read into the record. Her email asked the Staff for clarification on two points:

- Whether the Planning Commission could take into consideration the ownership structure of a petition – be it rental or owned individually; and
- Whether a re-zoning of the mall site would have to occur before any residential petition was considered inasmuch as *multi-family housing* is not a permitted use under the current C-8 Planned Commercial zoning.

Ms. Geckeler’s email also stated that she “believes the Comprehensive Plan is an impressive vision for our City Center, promoting the aspects of amenities our residents expect” and that she is “comfortable supporting the update” under consideration.

SPEAKERS IN OPPOSITION:

1. Mr. Ray Bosenbecker, Citizens for Developing Downtown Chesterfield, 1920 Lanchester Court, Chesterfield, MO.

Mr. Bosenbecker stated that he is speaking on behalf of nearly 500 members of *Citizens for Developing Downtown Chesterfield*, which supports the vast majority of the draft Comprehensive Plan, but there are seven items they would like the Planning Commission to consider:

1. **Residents favor owner-occupied units over rentals.** They are concerned about the growing number of apartments and how they will change the character of the City.
 2. **Increase the amount of open space required for future *Mixed Residential Character* areas.** They feel complexes such as Aventura, The Sheridan, and Watermark are too dense.
 3. **In the *Suburban Neighborhood Character* area, include language that promotes the preservation of green space and open space in development.**
 4. **In the *Downtown Character* area, consider changing the primary land use from *high-density residential* to *mixture of residential types*.**
 5. **Include language in *Envision Chesterfield* stating that the city should remain a predominantly single-family community.** Their group does not support altering the balance of multi-family to single family that currently exists in Chesterfield.
 6. **Remove language from the plan that refers to the *missing middle*.** Their group does not agree that *the middle* is missing from Chesterfield.
 7. **Eliminate the addition of micro-units and tiny homes to the housing variety that needs to be built in Chesterfield.**
2. Ms. Cyndy Fleissner, Citizens for Developing Downtown Chesterfield, 14648 Summer Blossom Lane, Chesterfield, MO.

Ms. Fleissner elaborated on the concerns that the *Citizens for Developing Downtown Chesterfield* would like the Commission to address before voting on the draft Comprehensive Plan.

She explained that their group wants to see language put into the plan clarifying that future residential development of the city should reflect the current mix of multi-family to single family. According to the most recent census data, that mix is 37% multi-family to 63% single-family. Their group strongly feels that Chesterfield should remain a predominantly single-family community. They have concerns that the draft Comprehensive Plan, combined with the city's recent development pattern, will lead to a city that is not predominantly single-family households, which would completely change the character of the community.

Envision Chesterfield states that there is a "missing middle" in the city and that a greater variety of housing is needed, including apartment homes, duplexes, townhomes, cottage

court homes, tiny homes, and micro-units. According to the census bureau data, Chesterfield has a nice mix of multi-family options within a wide range of prices and rents. One of the primary tenets of *Citizens for Developing Downtown Chesterfield's* mission is the preservation of green space and open space. They do not support changing the variety of housing to developments that are even more dense than what currently exists in the City.

3. Ms. Kelli Unnerstall, Citizens for Developing Downtown Chesterfield, 14649 Summer Blossom Lane, Chesterfield, MO

Ms. Unnerstall stated that for the past six months, *Citizens for Developing Downtown Chesterfield* has collected surveys, which show the following results:

- Residents do not want more apartments.
- Residents do not want multi-family housing to grow beyond 50%, with most supporting a percentage lower than 37%.
- Residents do not support more high-density, multi-family housing.

In addition, a survey of the membership of *Citizens for Developing Downtown Chesterfield* had the following results:

- 89% oppose more apartments.
- 84% oppose more high-density, multi-family housing.

Ms. Unnerstall stated that their survey was also sent to a large number of Chesterfield residents and they received more than 500 responses. These results showed:

- 80% opposed more apartments
- 78% opposed more high-density multi-family units

One survey question asked "What percentage of Chesterfield should be high-density multi-family?". This sampling of the general Chesterfield population showed that 67% said *less than currently*, and 25% said *between 37% and 50%*.

Ms. Unnerstall summarized that residents do not support more apartments and they do not support additional high-density, multi-family being built that will alter the current balance of 37% multi-family and 63% single-family.

SPEAKERS – NEUTRAL: None

Discussion

Councilmember Michael Moore disagreed with the current ratio presented of 37% multi-family to 63% single-family. According to Mr. Moore's calculations, the ratio should be 23% multi-family to 76% single-family. Clarification was provided as to how the *Citizens for Developing Downtown Chesterfield* calculated the ratio by using the 2017 census numbers, the definition of *multi-family*, and the number of apartments that have been built and approved since 2017.

V. APPROVAL OF MEETING SUMMARY

Commissioner Schenberg made a motion to approve the Meeting Summary of the September 14, 2020 Planning Commission Meeting. The motion was seconded by Commissioner Midgley.

Upon roll call, the vote was as follows:

Aye: Commissioner Midgley, Commissioner Schenberg,
Commissioner Staniforth, Commissioner Wuennenberg,
Commissioner Harris, Commissioner Marino,
Chair Hansen

Abstained: Commissioner Roach, Commissioner Tilman

The motion passed by a vote of 7 to 0.

VI. PUBLIC COMMENT - None

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS - None

VIII. UNFINISHED BUSINESS

A. A Resolution Adopting the Comprehensive Land Use Plan for the City of Chesterfield

Commissioner Wuennenberg made a motion to approve the Resolution Adopting the Comprehensive Land Use Plan. The motion was seconded by Commissioner Schenberg.

General discussion followed wherein each Commissioner voiced their support for adopting the updated Comprehensive Plan. It was noted that the Commission worked on this project for 21 months with input from the public, city officials, and staff resulting in a balanced document, in an easy-to-use format, of which all are proud. It was also pointed out that the Plan “provides a set of guidelines but does not contain specific zoning”. The residents were then thanked for their input during the process.

Representing City Council, Councilmember Hurt thanked everyone who participated in the entire process – including Commissioners, residents, and Staff.

Upon roll call to adopt the updated Comprehensive Plan, the vote was as follows:

Aye: Commissioner Schenberg, Commissioner Staniforth,
Commissioner Tilman, Commissioner Wuennenberg,
Commissioner Harris, Commissioner Marino,
Commissioner Midgley, Commissioner Roach,
Chair Hansen

Nay: None

The motion passed by a vote of 9 to 0.

IX. NEW BUSINESS - None

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 9:25 p.m.

Gene Schenberg, Secretary