

**PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
MEETING SUMMARY
MARCH 8, 2021**

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

I. ROLL CALL

PRESENT

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

ABSENT

Commissioner John Marino
Commissioner Gene Schenberg

Mayor Bob Nation (*joined meeting at 7:29 pm*)
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 Councilmember Dan Hurt, Council Liaison; and Councilmember Mary Ann Mastorakos, Ward II.

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 February 8, 2021 Planning Commission Meeting. The motion was seconded by Commissioner Roach and **passed** by a voice vote of 7 to 0.

VI. PUBLIC COMMENT

A. 154 Lighthouse Dr. (Rosenblum Residence)

Mr. Alan Ruby, Donna Boxx Architects, 160 Marine Lane, Maryland Heights, MO.

Mr. Ruby stated that he is representing the Petitioner and was available for questions.

B. City Ordinance 1430

Mr. George Stock, Stock & Associates Consulting Engineers, 257 Chesterfield Business Parkway, Chesterfield, MO.

Mr. Stock stated that he is representing Scott Properties, 18122 Chesterfield Airport Road. He is present to listen to the discussion on City Ordinance 1430 and is available for any questions that may pertain to Scott Properties.

VII. SITE PLANS, BUILDING ELEVATIONS AND PLATS

- A. 154 Lighthouse Dr. (Rosenblum Residence): A request for a residential addition exceeding 1,000 square feet and 30% of the existing floor area for a property zoned "NU" Non-Urban District, and located in the Trails West of Green Trails Subdivision.

Commissioner Wuennenberg, representing the Site Plan Committee, made a motion recommending approval of the Residential Addition for 154 Lighthouse Drive. The motion was seconded by Commissioner Tilman.

Upon roll call, the vote was as follows:

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

Nay: None

The motion passed by a vote of 7 to 0.

VIII. UNFINISHED BUSINESS - None

IX. NEW BUSINESS

- A. **P.Z. 01-2021 City of Chesterfield (Unified Development Code—Article 4 and Article 10)**: An ordinance amending Article 4 and Article 10 of the Unified Development Code to revise regulations pertaining to window signs.

Mr. Mike Knight, Assistant City Planner, stated that the purpose of this petition is to discuss and potentially revise the Unified Development Code (UDC) regulations as they pertain to window signs. He also noted that this petition is scheduled for a Public Hearing on March 22nd.

At its February 18, 2021 meeting, the Planning and Public Works Committee directed Staff to research the current regulations and bring forward potential updates to the window sign requirements. The City's current window sign regulation states the following:

Window signs may be placed on any window in addition to other permitted signs. However, the outline area of said signs, whether temporary or permanent, shall occupy no more than 40% of the outline area of any window on the ground or first floor level of the building and no more than 20% of any window on any other level of the building. A sign permit shall not be required for any window sign.

At its meeting, the Planning and Public Works Committee brought up two primary concerns about window signs:

1. Window signs are currently permitted on multiple floors of buildings, in which some office buildings consist mostly of glass windows.
2. Unlike monument and wall signs, there is no maximum allowed amount of window signs. Thus every window of a building could be covered under the current allowable percentage.

During its research, Staff spoke to Planners in surrounding municipalities and discussed the topic of window signage with nearby sign companies. After this review, it was determined that window sign regulation varies widely among municipalities, and there is a definite lack of consistency among St. Louis County municipalities.

Staff Recommendations

Concern: Window signs are currently permitted on multiple floors of buildings, in which some office buildings consist mostly of glass windows.

Current UDC regulation: Outline area of window signs, whether temporary or permanent, shall occupy no more than twenty percent (20%) of any window on any other level of the building.

Staff Recommendation: Remove the language referencing *other levels*, and solely permit window signs on the first floor of a building.

Currently there are not many, if any, businesses that have window signs above the first floor. Although this may have minimal impact on the current conditions, it will prevent a full-glass office building from having numerous signs on individual tenant floors above the first level.

Concern: Unlike monument and wall signs, there is no maximum allowed amount of window signs, and thus every window of a building could be covered under the current allowable percentage.

Staff Recommendation: One solution is to draft similar regulation as the permitted quantity of wall signs within code. Each tenant will be allowed one window sign on any two windows of a building or particular tenant space, unless the tenant business is the sole occupant of a building located on a corner lot or double frontage, then the business may have one window sign on any three windows.

This proposed change allows for consistency within the sign code and guarantees each ground floor tenant of a building the opportunity to have a window sign, assuming they have a window.

Potential Code Updates

Staff recommends removing the current regulation regarding window signage and replacing it with the following:

Window Signs.

- 1) Subject to the specific regulations set out below, each business occupying a tenant space or being the sole occupant of a freestanding building shall have no more than one (1) window sign on any two (2) windows of a building that are exterior windows of the particular building or tenant space solely on the ground or first floor of the building. Window signs may be in addition to other permitted signs.
- 2) For a business being the sole occupant of a building located on a corner lot or a lot with double frontage, said business may have one (1) window sign on any three (3) windows of a building.
- 3) The outline area of said signs, whether temporary or permanent, shall occupy no more than forty percent (40%) of the outline area of any window on the ground or first floor level of the building.
- 4) A sign permit shall not be required for any window sign.

Staff also recommends updating the definition of a window sign, as noted below:

Sign, Window

Any sign, including paint, placed ~~inside a window or~~ upon ~~the window a single panes or~~ of glass that is visible from the exterior of the window.

Discussion

Taking into consideration the number of small businesses forced to close over the past year due to the current pandemic, Commissioner Tilman questioned whether the recommended regulation would negatively affect small businesses going forward.

Commissioner Staniforth stated that during a recent inspection of retail space signs, she noted that some businesses have a lot of window signs, but most of them are temporary signs relative to current sales or specials in an effort to increase business traffic. She added that there needs to be a balance between aesthetics and not causing any additional harm to small businesses.

Commissioner Roach pointed out that tenants occupying an upper-floor space could be put at a disadvantage by not being able to advertise while a competitor on the first level is allowed to advertise.

Regarding signage and small businesses, Councilmember Hurt reported that in order to assist businesses during the past year, City Council relaxed enforcement of the regulations by allowing temporary signs that are not ordinarily permitted. Council's current intent is to have the sign regulation reviewed for the long-term going forward.

Commissioner Wuennenberg noted his preference of limiting the amount of window signage preferring "quality over quantity".

There was also discussion relative to stand-up signs placed inside a building that are not affixed to a window, but are seen through a window. Mr. Justin Wyse, Director of Planning, advised that numerous lawsuits over the years have determined that indoor signs are not subject to signage regulations.

Commissioner Harris questioned if the City has regulations relative to flag pole signs. Mr. Wyse stated that such signs are typically not permitted within the City, but have been allowed during the pandemic.

For the upcoming Public Hearing, the Commission asked Staff to bring back additional information relative to the following:

- Articulate the goal of the discussion by clarifying what problem the Commission is being asked to solve.
- Provide synopsis of various strip malls illustrating the amount of signage allowed under the current regulation vs. what would be allowed under the proposed regulation.

B. Review of City of Chesterfield Ordinance 1430

Mr. Justin Wyse, Director of Planning, reported that at its February 8th meeting, the Planning Commission approved a Site Development Section Plan for 18122 Chesterfield Airport Road. City Council called Power of Review on this project where it was reviewed by the Planning & Public Works Committee on February 18th. During that meeting, the Committee made two motions relative to this project:

- To hold the Site Development Section Plan; and
- To forward Ordinance 1430 to the Planning Commission for review.

After review, the Commission is asked to provide a recommendation to City Council as to whether or not the planned district ordinance (*Ordinance 1430*) promotes the vision and goals of the Comprehensive Plan.

Mr. Wyse then gave background information regarding the history of the ordinance that created the Planned Industrial District for the area surrounding Spirit of St. Louis Airport. The original ordinance was approved by St. Louis County in 1961 followed by a number of amendments by County, and then by the City of Chesterfield after its incorporation in 1988. The amendments approved by the City were strictly tailored to amendments on individual parcels within the planned district – two modified setbacks on individual parcels and one added a permitted use to one parcel.

Mr. Wyse directed the Commission's attention to the Staff Report, which provides aerial photographs showing the development of the Chesterfield Valley from 1955 to 2018. The images depict the starting development of the airport beginning in the mid-60s with an industrial park surrounding it. In 2000, there is a notable change on the eastern end of Chesterfield Valley, which is outside of the subject ordinance area, but includes the construction of Boone's Crossing and Chesterfield Commons.

The Staff Report also provides an analysis of Ordinance 1430 and whether it would be approved under today's standards.

Discussion

Commissioner Wuennenberg asked for clarification as to whether the Commission is to determine whether Ordinance 1430 should be repealed or modified. Mr. Wyse replied that the Commission is being asked to determine whether Ordinance 1430 is consistent with the City's current Comprehensive Plan. Ultimately, City Council will determine whether the ordinance needs to be repealed or modified.

Commissioner Tilman asked for additional information regarding the Airport. Mr. Wyse stated that St. Louis County owns Chesterfield Airport, and they have a forward-looking plan for the further development of this property. During the City's most recent review of its Comprehensive Plan, Staff coordinated with the Airport and, likewise, the City was involved in the Airport's updated plan several years ago. The relationship between the Airport and the City's Comprehensive Plan is very important. It is Staff's opinion that the two are very well-aligned, but should be reviewed given the magnitude of the impact of an airport on adjacent land uses, as well as the impact of the Airport on supporting the other businesses within the area.

Commissioner Staniforth recommended that the Comprehensive Plan be reviewed relative to the City's vision for this industrial area, along with the permitted uses, in order to clarify any conflicts.

Commissioner Wuennenberg pointed out that there are a number of permitted uses which he feels are no longer appropriate because of the residential area along the bluffs - specifically, uses that generate loud noises and strong odors. He also called out *railroad switching yards*.

Commissioner Tilman stated that in order to have a light industrial district, the necessary infrastructures need to be maintained, which include rail service, truck traffic, and barges.

Commissioner Wuennenberg commented that he views shipping by rail and barge as heavy industrial rather than light industrial. He added that he has no objection to trains coming in and out of the area, but he sees that type of activity as being different from a railroad switching yard.

The Commission then directed Staff to respond to the concerns raised and to bring this item back for further review.

X. COMMITTEE REPORTS - None

XI. ADJOURNMENT

The meeting adjourned at 8:03 p.m.

Gene Schenberg, Secretary