

# CITY OF FRONTENAC



**MINUTES OF THE CITY OF FRONTENAC**  
**PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING**  
**WEDNESDAY, MAY 31, 2017, 7:00 PM**

A. **CALL TO ORDER:** The regular meeting of the Planning and Zoning Commission was called to order at 7:05 p.m. by Chairman Chris Kehr.

B. **ROLL CALL:** The members present were:

Chairman Chris Kehr  
Doug Bock  
Chris Hyams  
Harry Reineke

Andre Audi  
Elizabeth Hartwig  
Alan Kahn  
Aldersperson Nalini Mahadevan

Also in attendance were Aldersperson Warner, Aldersperson Kemper, Aldersperson Griesedieck, Aldersperson Bray and Aldersperson O'Brien.

Also in attendance were John Morgan, Building Commissioner; City Administrator, Bob Shelton; City Attorneys Kevin O'Keefe and Ed Sluys and City Clerk, Leesa Ross.

C. **APPROVAL OF AGENDA:**

Chairman Kehr asked for a motion to approve tonight's agenda.

Motion to approve the agenda was made by Mr. Hyams, and seconded by Mr. Reineke, the motion passed unanimously.

D. **APPROVAL OF MINUTES:**

Chairman Kehr asked for a motion to approve the minutes of the April 25, 2017, meeting.

Motion to approve the minutes of the April 25, 2017, Planning & Zoning Commission meeting, was made by Mr. Reineke, and seconded by Mr. Hyams, motion passed unanimously.

E. **PUBLIC FORUM (PRESENTATION OF REMARKS AND/OR PETITIONS)**

No presentations or remarks were made at this time.

F. **CHAIRMAN'S COMMENTS:**

Chairman Kehr made no comments this time.

G. **COMMENTS BY COMMISSION MEMBERS:**

No commission members made comments at this time.

H. **ZONING ADMINISTRATOR'S REPORT:**

Mr. Morgan made no report at this time.

I. **NEW BUSINESS:**

There was no new business.

J. **OLD BUSINESS:**

1. **Item PZ042517-01**: Request for approval to rezone the property located at 2001 South Lindbergh (formerly known as Shriners Hospital) from R-1, One Acre Residence to PDC, Planned Development Commercial.

Chairman Kehr stated he would take comments from the DESCO Group, comments and questions from the commission and then he would accept the comments from the audience members. He also stated if Mr. Morgan had anything to add, he would ask for his comments.

Mr. Scott Sachtleben, Vice-President and Legal Counsel of DESCO Group spoke about meetings they had with the homeowners and presented a list of concessions:

Lighting Concessions –

- Night Sky Friendly – Dark Sky Compliant parking lot lighting
- Commitment to utilize high-tech LED lighting to distribute parking light forward along property lines and essentially eliminate backlight outside the parking lot
- Fixture selection to minimize light at upper angles and thereby reduce fixture brightness and glare
- Selection of warmer source temperature lights to minimize light scatter and light pollution
- Utilization of LED in order to set up dimming manipulation of lighting throughout the night
- Commitment to dim lights on west side of parking lot after early evening hours and essentially close off practical use of that parking field
- Place no parking after 9:00 p.m. signs on western side of parking lot
- Acknowledge all building lighting subject to ARB committee

Neighborhood and Site Perspective

- Eliminated outdoor kids area on LTF west side

- Eliminated drive lane, parking and traffic on west side of LTF
- Reduce hours of operation to 5:00 a.m. to 12:00 a.m.
- Installed berm, fence and mature evergreens to create permanent visual barrier on west side of LTF
- Lowered LTF building to 611 feet FFE
- Eliminated all second floor windows on west side of LTF
- Commit that slide will be earth tone and not visible from Litzsinger by combination of lowering slide and raising screening
- Removal of chain link fence along western boundary and replacement with privacy fence, including man gate for entry into landscaped area for dog walking
- Installation of an enclosed trash dumpster system
- Installation of a gate to serve entrance on backside of LTF
- Removal of exterior lighting along southern wall of LTF if so desired
- Movement of LTF building further from Litzsinger
- Inclusion of privacy fence along southern side of LTF
- Expansion of landscaping along southern side of LTF
- Relocation of LP gated entrance eastward to extend privacy and seclusion for LP
- Installation of flanked fencing from said gate to other fences to complete privacy and connectivity
- Installation of man gate adjacent to vehicular gate from LP
- Installation of a new turn around adjacent to new vehicle gate
- Installation of a sidewalk connecting LP to project along Litzsinger Place
- Dedication of road within gate of LP HOA
- Agreement to maintain road and pay all taxes on Litzsinger outer gate

#### Traffic

- Reconfigure Litzsinger Road western intersection to 4 lanes

2 ingress including a -250 ft left turn lane in to St. Joseph's Academy

2 egress including a -250 ft dedicated left turn lane on to Lindbergh, matched to the new dedicated left turn signal on to Lindbergh

- Replacement of the St. Joseph's entry/exit 250 ft west to address current safety and access issues
- Modification of internal drives for bettered traffic flow within St. Joseph's Academy
- Construction of a right in/right out entrance for St. Joseph's Academy to Lindbergh
- Development of a new monument for St. Joseph's
- Multiple gate relocations and associated landscaping for St. Joseph's Academy
- Multiple cross access points through Plaza Frontenac
- Construction of two expanded stacking lanes to alleviate egress pressure from Plaza Frontenac to Clayton Road adjacent to Brick Tops
- Inclusion of a pedestrian walkway and signalization across the "Brick Top intersection" that road for sidewalk connectivity
- Preparation and delivery of a professional traffic study from Doug Shatto subject to City review
- Commitment to pay for an independent review of said traffic study on behalf of the City, which I understand has been implemented

Mr. Kahn asked what the hours are for Life Time Fitness. Mr. Aaron Kohler stated the proposed hours for this facility are 5:00 a.m. to 12:00 a.m. Mr. Sachtleben stated the outdoor pool will be open from Memorial Day to Labor Day. He also said DESCO will pay for a traffic study to be completed by the city.

Mr. Doug Shatto discussed the traffic study submitted to the City. He said they are still awaiting MoDOT's letter, which will be forwarded to the city once completed. Mr. Shatto stated the major issues are widening the west side of Litzsinger; adding a left turn arrow at Litzsinger and Lindbergh; adjusting the level of queuing; the cross traffic from Plaza Frontenac; and widening the driveway of the west side of Plaza Frontenac at Clayton Road. Mr. Shatto stated the city's consultant will complete a peer review. He also stated GGP (owners of Plaza Frontenac), did approve to allow the changes to the area of Clayton Road at Plaza Frontenac near Brick Top's; and to establish a pedestrian cross walk to the sidewalk.

Mr. Sachtleban stated this development complies with the comp plan and is a betterment to the community and it complements the mall. He said Lifetime is a significant project and the approximate total cost of this project is \$180 million.

Mr. Kahn asked what level is the Ellisville Life Time Fitness location. Mr. Kohler stated there are four levels, Gold, Platinum, Onyx and Diamond. He said the Ellisville location is Platinum and the Frontenac level will be Diamond.

Alderson Mahadevan asked were any other Life Time Fitness locations built next to GGP locations in other cities. Mr. Kohler stated this is a new relationship and stated there are two locations near GGP locations, one outside of Oklahoma City, the other outside of Oak Brook Mall in Chicago. Alderson Mahadevan asked for the list of concessions that were read. Mr. Stock stated the Power Point will be forwarded to Mr. Morgan.

Ms. Hartwig asked how many light posts there will be. Mr. Ron Kurst, the lighting consultant was unable to answer that question.

Chairman Kehr asked how soon they would get the approval for MoDOT and be able to move forward. Mr. Shatto stated they will get a blanket statement. He said they will provide a conclusion and see if MoDOT agrees with the conclusion. Mr. Bock asked if there was anything in the plan that MoDOT may reject. Mr. Shatto stated no. He said they have a general permit and that everything in the study has been discussed.

Mr. Kahn made a comment regarding the changes and all the concessions DESCO has made. He stated the main concerns appear to be the hours of operations and the slide. He said there also are concerns of traffic and lighting.

Ms. Hartwig asked will the slide be visible from Lindbergh. Mr. Sachtleban stated maybe between buildings 2 and 3. Someone asked how tall the slide is. Mr. Sachtleban stated they agreed to drop the slide ten feet or raise the berm. Mr. Kohler stated they will do what they said they will, to make it not visible from Litzsinger.

Mr. Kehr asked Mr. Marks of Development Strategies to present his report of the development. Mr. Marks stated they looked at the comprehensive plan, and stated this development is consistent with the comp plan. He said the density is ½ of what is at Plaza Frontenac and Schneithorst. He said the type of development proposed is appropriate. He said the main issues are parking, parking access, traffic, the impact to the neighbors with the lighting and the buffer and the connection to Plaza Frontenac and Clayton Road. He said all the issues were addressed tonight.

Mr. Kehr opened the floor for questions or statements from the audience.

The following residents made statements which are attached.

Mr. Kurt Kohler of Litzsinger Road

Ms. Margaret Sherwood of Litzsinger Road

Mr. Jake Amir of Litzsinger Road

Ms. Mary Lou Keech of Litzsinger Road

Ms. Carin Hicks of Litzsinger Road

Mr. Flavious Pernoud of Litzsinger Road

The residents asked that the vote on this project be delayed until the next Planning & Zoning Commission meeting on Tuesday, June 27.

Ms. JoAnn Sandifer of Husch Blackwell stated she was representing the homeowners of Litzsinger. She said they received no feedback from DESCO until tonight. She said they had no time to evaluate and obtain experts on lighting, sound and traffic. She said there are still issues that are open and asked that the vote be delayed until next month's meeting. She said this is a significant request for zoning changes. She said they would like the lighting turned off at 7:00 p.m. instead of 9:00 p.m. They are concerned about signage, utility lines, hours of operations and traffic. She said the Development Strategies report was turned in Friday and they would like time to evaluate that report. She said they are not opposed to the project but they have some legitimate concerns, and they have many unanswered questions.

Ms. Leslie Sschoedinger of Babler Lane in Ladue had some concerns of the project.

Mr. Bernard Huger, Legal Counsel for St. Joseph's Academy stated they have reviewed the impact the project will have to the school and stated the Sisters think it is a good use of the property and complimentary to the school, and that the development is accommodating.

Ms. Regina Mooney, President of St. Joseph's Academy stated they are working with DESCO. She stated they were notified in April and that they are working together. She said there will be modifications to their property; she said Life Time Fitness and DESCO are responsive; they have gotten back to them in a timely manner; the developers have sent a Memo of Understanding; calls are returned; they look forward to working with DESCO. She said that most of the proposals and modification are acceptable to them.

Mr. Dale Heinz of 17 Babler Lane asked about storm runoff and asked what about the intersection east of Lindbergh.

Chairman Kehr stated he would like to move this on tonight but has concerns that some issues were not fully addressed tonight. Alderperson Mahadevan stated she has heard the residents and said she thinks it is reasonable that they need more time. Mr. Hyams stated there were questions and concerns but not everything will be concluded. He said I don't think with two questions, we should delay this for two questions.

Mr. Shelton stated he has been in contact with CBB to conduct the city's peer review of the Lochmueller traffic study. They will look at it and bring it to the city's attention. He said there is not a set date but believes the peer review will be complete by mid to late June. Mr. Shatto stated MoDOT's comments could come by next week.

Chairman Kehr stated there are issues of traffic and the impact it will have in the morning; where the building is, how large it is; the distance of the building from the homes.

**MOTION:** A motion was made by Ms Hartwig, and seconded by Mr. Reineke, to continue this request until the next meeting.

Mr. Reineke stated this should be resolved by the next meeting.

Mr. Morgan stated this is a preliminary development plan and it still must have a Board of Aldermen review and then a final development plan is reviewed and it is recorded at the Recorder of Deeds Office. He said they still have to obtain easements, and they must subdivide the property.

Ms. Mahadevan stated this gives everyone enough time to make sure concerns are addressed.

**ROLL CALL VOTE:** Mr. Reineke, “Nay”; Mr. Audi, “Aye”; Mr. Hyams, “Nay”; Mr. Kehr, “Aye”; Mr. Bock, “Aye”; Ms. Hartwig, “Aye”; Mr. Kahn, “Aye”; Alderperson Mahadevan, “Aye”. All Commission members present voted “Aye”. The motion passed by a vote of 6-2.

2. **Item PZ042517-02:** Request for an amendment to the Planned Development Ordinance and related Conditional Use Permits to allow for an addition to the medical building at Frontenac Grove and approval for Advanced Heart Care, LLC to occupy the location at 10435 Clayton Road (front retail building).

Mr. George Stock was present with Mr. Michael Cozard, Randy Windsen, Jason Dunaway and Louie Tocco, representing the Frontenac Grove properties.

Mr. Stock gave back ground on the development and the two buildings, the medical building in the back (former Jr. League Building) and the Frontenac Grove, retail building in the front. He stated they currently have 235 parking spaces. He said in the retail building there is a space of 1,765 square feet that is vacant. He said the medical building is operating under a conditional use permit, i.e., City of Frontenac Ordinance 2005-1469A. Mr. Stock stated they have a parking variance and medical is restricted to the Junior League Building. The front building is restricted to no more than 50% office. They are operating under a conditional use permit prohibiting medical use. In the front retail building they would like to lease it out to the Advanced Heart Care Group which will do Cardiac Exams, EKG’s, stress tests, ultra sounds, blood pressure checks and cardiac consultations. They will have two to four doctors per day and two to four patients at a time. They will need four to eight parking spaces at a time. In the rear medical building they would like to add an addition to the northwest corner and remove four parking spaces. The addition will square off the building. There was a question regarding parking. The two buildings have shared parking and have additional parking to the north. Mr. Stock stated they currently have 235 spaces, and will lose four spaces, to bring the number to 231. He said there was a traffic study, dated May 26, 2017, and the demand for parking is 83% usage.

Mr. Stock stated they are requesting an addition to the medical building; the rental of the retail building to lease out 1,765 square feet of space as medical use. He said the retail building currently has 68% retail, and in the conditional use permit the minimum retail was 50%.

Alderperson Mahadevan stated there was talk at the last meeting of attic space. Mr. Stock stated there will be approximately 1700 square feet added on each floor to the medical building. The first floor will be a sterilization room for sterile storage for the surgery center and the second

floor may become more space for the Dialysis Center, to add a dialysis chair, which may consist of one more nurse practitioner and one additional patient.

There was discussion of the additional parking spaces needed for the medical usage in the retail center. There will be a need for an additional 22 spaces. Mr. Stock again referred to the May 2017 parking study, which said the demand rate was 83%.

A commission member said the city to poll the tenants to see if there is enough parking. Mr. Shelton stated some retail employees could park on the Latter Day Saints parking lot, and do not park in the back. Mr. Stock stated parking is tight and it is congested at times.

A commission member asked what the hours of operation for the medical office are, in the retail building. Mr. Dunaway stated 9:00 a.m. to 6:00 p.m.

Mr. O'Keefe stated in the ordinance which outlines the conditional use permit it specifically says, no medical is allowed in the front (retail building); there was an original parking variance of 100 parking spaces; they are requesting an additional parking variance; the medical in the rear was limited to a certain square footage. He said if passed they will need to make an amendment to the conditional use permit for usage in Buildings 1 and 2, and allow for an additional parking variance.

Mr. Shelton stated he would also recommend that employees of the retail building park on the north parking lot, not the church lot; and that no storage items are kept on the north lot, i.e., trailers, boats and RV's. Mr. Morgan also asked that the landscaping plan which was originally submitted and approved, become a part of this ordinance.

**MOTION:** A motion was made by Alderwoman Mahadevan, and seconded by Mr. Bock, to approve the request to allow medical in the retail building at 10435 Clayton Road; to allow an additional to the medical building at 10435 Clayton Road; and to allow a further parking reduction along with the conditions listed below. All Commission members present voted "Aye". The motion passed by a vote of 8-0.

The following conditions are required subject to approval:

- Acceptable Landscaping Plan to be recorded
- No overnight parking
- No external storage containers
- PILOT approval
- Medical use of 1765 at retail building and it is subject to the PILOT
- Additional space in the medical building on the first and second floors, subject to the PILOT
- Employee and staff parking on the north lot

- Parking reduction from 235 to 231 spaces
- Additional signage encouraging people to park on the north lot

K. **ANNOUNCEMENT OF NEXT MEETING:** Tuesday, June 27, 2017 at 7:00 pm.

L. **ADJOURNMENT:**

**MOTION:** A motion was made by Mr. Reineke, and seconded by Mr. Hyams, to adjourn the meeting. All Commission members voted “Aye”. The motion passed unanimously, 8-0.

The meeting adjourned at 10:15 pm.