

## MINUTES

### CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

MAY 2, 2016

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m. Upon roll call, the following responded:

Present:

Chairman Steve Lichtenfeld  
Mark Winings, Aldermanic Representative  
Craig Owens, City Manager  
Ron Reim  
Sherry Eisenberg  
Pepe Finn

Absent:

Josh Corson

Also in Attendance:

Susan M. Istenes, AICP, Planning Director  
Louis Clayton, Planner  
Kevin O’Keefe, City Attorney

Chairman Steve Lichtenfeld noted that there is a full agenda and a full house this evening. He stated that 121 North Brentwood is a conceptual presentation only this evening; there will be no vote. This review is a curtesy to the developer and the purpose is not to debate; only inform. He then asked that all cell phone ringers be turned off, that conversations take place outside the meeting room and that those who wish to speak approach the podium and to be sure the green light on the microphone is on for proper recording of this meeting.

## MINUTES

The minutes of the April 18, 2016 meeting were presented for approval. Ron Reim asked that a correction be made to a comment he made as shown on Page 19 to read: “Ron Reim commented that Google Earth *is updated at a higher frequency now*”. The minutes were then approved, as amended, after having been previously distributed to each member.

## CONCEPTUAL REVIEW – TOWNHOUSE PROJECT – 121 NORTH BRENTWOOD BOULEVARD

Michael Rechan, developer, and Paul Doerner, project architect, were in attendance at the meeting.

Susan Istenes stated that she will provide a project summary. The 14,926-square-foot property is located at the southwest corner of North Brentwood Boulevard and Westmoreland Drive, has a zoning designation of R-2 Single-Family Dwelling District and is located in the Clayton Gardens Urban Design District and was originally developed and used as a single family residential structure, however; over 30 year ago, the ground floor use was converted into a medical office and the second floor was used for residential purposes. The most recent medical tenant vacated the premises in 2011 and the building was recently demolished. Adjacent land uses and zoning designations are summarized in the following chart:

<b>Direction</b>	<b>Current Land Use</b>	<b>Future Land Use Plan</b>	<b>Base Zoning District</b>	<b>Overlay Zoning District</b>
North & West	Single Family	Single-Family	R-2 Single Family	Clayton Gardens
South	Commercial (Retail)	Commercial	C-1 Neighborhood Commercial	Maryland Gateway
East	Office (YWCA)	Multi-Family (25-45 Units Per Acre)	R-4 Low Density Multi Family	None
East	Multi-Family (Maryland Walk)	Commercial	Planned Unit Development (PUD)	None

The proposed project consists of the construction of a four unit townhome building. Each unit has access to two underground parking spaces accessible by the rear alley. The building is constructed primarily of brick with siding accents. The roof is clad in asphalt shingles, charcoal in color. Black clad casement windows are proposed. The building measures 40-foot 10-inches, as measured from average existing grade to the mean elevation of the roof. The adjacent single-family home is +/- 15 feet shorter. To provide a transition in height between the two, the subject building is shown set back 15 feet from the property line. Susan noted that townhomes are not a permitted use in the R-2 Zoning District; therefore, a rezoning to R-4 Low Density Multi-Family Dwelling District will be required. There are no pre-established criteria which the Board, or the Plan Commission when rendering a recommendation, must utilize in assessing a proposed rezoning. The decision to rezone property is a legislative judgment of the Board of Aldermen, taking into consideration the recommendations of the Plan Commission and the general guidance of the City's Master Plan. The Clayton Master Plan was adopted in 1975 and was last updated in 1989. The Plan includes goals and objectives for the future development of the City, including a Future

Land Use Plan. The Master Plan designates the subject property as “single-family” on the Future Land Use Plan. The design of the project is not under consideration as part of the rezoning; however, if approved, it will be examined through the Site Plan Review and Architectural Review processes. Susan stated concluded by stating that staff recommends that the Plan Commission/Architectural Review Board consider the proposal and provide input. This is conceptual review only and therefore any comments made in this report or at the meeting, by either the developer or the Board/Commission members, are not binding.

Mr. Rechan stated that they seek to rezone the property from R2- to R-4. A rendering of the property was shown and Mr. Lauren provided a background of the history of the property. He stated that he has lived on Westmoreland since 2003 and has had his company in Clayton since 2009. He stated that he is currently working on his 9<sup>th</sup> project. He stated that they are proposing 4 units, ranging in size from 3,500 square feet to 4,500 square feet, although 9 or 10 units could be accommodated. He stated that the building is 3-stories with tuck under garages. He stated that lot coverage is 8,186 square feet; or 54.85% (55% permitted). He stated that for the past 30 years, the property was used as a medical office. He stated that when he purchased the property, the building had been vacant for 4 years. He stated that due east is a 17 story condo building; the next property, R-4, is the YWCA; the property to the northeast (corner) is a 3-story multi-family building; to the south is an alleyway; to the west is a single family residence (8110 Westmoreland); and a single family residence at 141 North Brentwood. He informed the members that their architect has some visuals to present. He added that this property is a commercially oriented an active corner and that this modest density proposal seems responsible and is contrary to the letter about maximizing the density.

Mr. Doerner began a PowerPoint presentation. The first slide showed a color site plan. He noted that these units are designed to accommodate 50-60 year old couples; all units have elevators, open kitchens and a family room.

Slides depicting the building across the street were shown, noting the handsome Georgian building with black iron balconies.

Elevation slides were also shown. Mr. Doerner noted that this building is set 14-feet from the house next door; the Code would only require an extra 3 foot setback. He stated that they adjusted the elevation of the 3<sup>rd</sup> floor to give it more of a half story look and the corner is only 2-stories to fit in with the house next door.

Note: Kevin O’Keefe arrived (5:45 p.m.).

A slide depicting the proposed plantings was shown.

A slide depicting a color rendering of the building was shown.

Slides showing the scale of this building compared to Maryland Walk, a photo of the site as it appears now, a zoning map of the area (Clayton Gardens) and various other 3-story buildings in Clayton Gardens were shown.

Slides depicting the sunlight and shadow interpretations were shown.

Chairman Lichtenfeld indicated that there may be questions about the rezoning issue. He noted that R-4 is predominately east of Brentwood Boulevard and west of Gay Avenue; he asked for more of the rationale for the R-4 zoning.

Mr. Doerner stated that this will provide a visual transition from Maryland Walk to Clayton Gardens; a 2-story house would be okay, but this will be better for the entire neighborhood.

Mr. Rechan reiterated that the property has historically been used as commercial which is denser with regard to traffic and the like.

Chairman Lichtenfeld asked to see the slide that showed the lower 3<sup>rd</sup> floor on the north façade.

Ron Reim asked the applicant to discuss the differences if the property were to remain R2 and a single family structure constructed on the site.

Mr. Rechan stated that a single family structure could be 24-feet further to the west and end up 8-feet from the neighbor. He added that this lot is not square for rectangle; they did not maximize the building; but they did maximize [impervious] coverage.

Mr. Doerner presented slides of single family structure possibilities.

A brief discussion regarding the solar “study” ensued. Mr. Doerner stated that there is more light with this proposal because of the increased setback.

Chairman Lichtenfeld asked about a fence.

Mr. Doerner stated that the neighbor has a fence.

Pepe Finn asked if a single family home would have a height restriction.

Mr. Doerner replied “35 feet”.

Ron Reim asked about the height of the hedge.

Mr. Doerner indicated that in 7 years they will be about 30 feet tall.

Chairman Lichtenfeld asked about the tree roots.

Mr. Doerner stated that the roots spread out, but his are 3-feet from his driveway and there is no problem.

Chairman Lichtenfeld commented that some 3-story multi-family structures are the same height as newer single family homes, but usually there is an alley separating them; this would be a departure from that.

Mr. Doerner referred to the dormers and horizontal banding of the structure.

Chairman Lichtenfeld stated that now is the opportunity for the public to comment. He reminded everyone that this is conceptual review only.

Robin Porta, 8110 Westmoreland (adjacent property) stated that if this is approved, they will have the decks of four families looking down on their property. She stated that this is all about making money for the developer at their expense. She added that there is a reason for zoning laws and that their lives would be interrupted because of this. She stated that they oppose this project.

Fred Berger, attorney representing the Portas, noted that Clayton Gardens consists of 104 homes in a picturesque area and finds it hard to believe that this is consistent with that. He stated that his clients oppose the rezoning and that the noise, odors and traffic generated from/by the project would be a detriment to the Portas and an invasion of their privacy. He added that once the encroachment starts, it won't stop. He noted that his clients were not contacted by the developer regarding the proposal and that the property was zoned R-2 when he bought it. He stated that the Portas trusts the City will do the right thing. He added that he does not believe townhomes are permitted in the R-4 district, but that's a discussion for a later time. He stated that his clients would love to see a single family home built there, even a large one.

Chairman Lichtenfeld asked that the following speakers keep comments concise and under 3 minutes.

Cheryl Redohl, 8104 Pershing, read a letter she had previously written and distributed to the members via e-mail. She voiced her opposition to the proposal and asked that it be denied.

Chairman Lichtenfeld announced that the members received several e-mails, which have all been read. He asked that nothing been read; that comments be kept short and to the point.

Jim Mosay, 222 North Brentwood Boulevard, stated that the building is beautiful and he supports it.

Gail Elble, 8117 Pershing, referenced Maryland Walk, noting that a lot of the residents asked that it not be built. She opposes the project.

Christine Heinz, 8140 Kingsbury, stated her opposition to the proposal.

Gary Heifitz, 8146 Westmoreland, stated his support of the proposal; noting the building is beautiful.

Jim Craig, 8145 Kingsbury, stated that he was lucky enough to get his home 6 years ago and wonders what will happen to the back end of Clayton Gardens if this zoning change goes through.

Georgia Prestovich, 8100 University Drive, asked why the rezoning.

Gerald Royce, Clayton Gardens resident, stated that he does not want this in his neighborhood; it is out of character.

Chairman Lichtenfeld thanked everyone for their comments and reiterated that this is only a conceptual review.

Ron Reim asked staff and the City Attorney to investigate whether townhomes are allowed in R-4.

Staff indicated that they would do so.

Chairman Lichtenfeld called for a 2 minute break.

SITE PLAN/ARCHITECTURAL REVIEW – NEW CONSTRUCTION – SINGLE FAMILY RESIDENCE – 635 WEST POLO

Lauren Strutman, project architect, was in attendance at the meeting. Also in attendance were Glenn Henke, owner/developer, and David Volz, project civil engineer.

Susan Istenes explained that the project consists of the construction of a two-story, 5,443-square-foot (excluding the basement) single-family residence. The height of the proposed residence is 29 feet 8 ¾ inches as measured from the average existing grade to the mean height of the roof. The proposed HVAC units are located at the rear of the home and screened by a wood fence. Trash will be stored in a 40-square-foot brick trash enclosure located adjacent to the garage. The existing impervious coverage on site is 23.1 percent. The new plans decrease the impervious coverage to 21.1 percent, which is below the maximum

allowable impervious coverage of 55 percent. The existing storm water runoff, according to the MSD 15 year, 20 minute calculation, is 1.28 cubic feet per second (CFS). The proposed runoff is 1.26 CFS, which represents a decrease in 0.02 CFS, and therefore on site storm water mitigation is not required. Downspouts from the home will be piped to two pop-up emitters in the rear yard. The Public Works Department has reviewed and approved the storm water management plan. The proposed landscape design provides a variety of trees, shrubs, perennials and ground covers that are appropriate for the size of the site and character of the neighborhood. The landscape plan shows the removal of 76 caliper inches of deciduous and broadleaf evergreen trees, 42 of which requires onsite replacement. The landscape plan proposes 54 caliper inches of new deciduous and broadleaf evergreen trees. The City's contracted landscape architect is of the opinion that the proposed trees are suitable for the site and the existing trees to remain are shown to be protected and preserved per City guidelines. The condition of existing tree EX 23 will need to be confirmed in late spring once it leafs out. Additional trees or a payment into the City's Forestry Fund may be required if EX 23 is determined to be in fair or good condition. Exterior lighting is proposed at all doors and the garage. All exterior lights will be 75 watts or less.

Susan stated that the proposed home is compatible with surrounding homes in the neighborhood. Storm water will be adequately managed on site, and the landscape plan provides for a variety of new trees that are suitable for the area. The bay window on the southern elevation encroaches 2.12 feet into the required 8.5-foot setback; however, bay windows may only encroach 2 feet into the required setbacks. Otherwise, the project meets the setback, height, and impervious coverage requirements of the R-2 Zoning District. The applicant has not submitted approval from the subdivision trustees. Staff is of the opinion that the project meets the criteria for site plan approval and recommends approval with the following conditions:

1. That the applicant revise the design of the bay window so that it encroaches no more than two feet into the required side yard setback.
2. The condition of existing tree EX 23 will be confirmed by the City's Contracted Landscape Architect once the leaves flush out. If the tree is determined to be in fair or good condition, the applicant shall submit a revised landscape plan and payment into the City's Forestry Fund at a rate of \$120 per caliper inch of deficiency if applicable.

Ms. Strutman introduced Mr. Henke and Mr. Volz to the members. She presented the site plan, noting that this is a spacious home on a large lot.

The proposed landscape plan was presented.

Mr. Volz presented a color rendering of the current run-off conditions and the proposed run-off conditions.

Chairman Lichtenfeld asked if the pool is gone.

Ms. Strutman replied “yes”.

Chairman Lichtenfeld asked if the pool will be replaced.

Ms. Strutman replied “maybe”.

Mr. Volz noted that there will be discharge from the property after the construction.

Chairman Lichtenfeld asked if more water will flow toward the north.

Mr. Volz replied “no”; adding that it will likely be less.

Chairman Lichtenfeld asked if there were any additional comments.

None were received.

Ron Reim asked if the site trees will be protected.

Ms. Strutman replied “yes”. She showed the members the location of the tree protection fencing.

Craig Owens asked if there is another lot to the north of this one.

Ms. Strutman indicated that it is one large lot; the other home is 115-feet away.

Steve Kissell, 521 Polo Drive, indicated that the lot to the north is a platted lot and suitable for another home.

Chairman Lichtenfeld asked the applicant if they will be shaving off 1 ½” from the bay.

Ms. Strutman replied “yes”.

Hearing no further comments or questions, Chairman Lichtenfeld called for a motion.

Ron Reim made a motion to approve per staff recommendations. The motion was seconded by Pepe Finn and unanimously approved by the members.

The architectural aspects of the project were now up for review.

Susan Istenes explained that the height of the proposed residence is 29 feet 8 ¾ inches as measured from the average existing grade to the mean height of the roof. The two-story home to the south (637 West Polo Drive) was constructed in 1930 and is +/- 4 feet 8 inches

shorter than the proposed home (as measured from the mid-point of each roof). The two-story home to the north (619 West Polo Drive) was constructed in 1927 and is +/- 10 feet shorter than the proposed home (as measured from the mid-point of each roof). The distance between these two homes is 115 feet.

The primary building material for the proposed home is mixed red brick, cast stone window trim, and fiber cement stucco panels. The roof is clad in slate grey architectural shingles and tan casement windows are proposed. The existing asphalt driveway will be replaced with an exposed aggregate driveway which will lead to an attached side entry garage with two tan carriage style doors. A +/- 2.5-foot stacked-stone retaining wall is proposed along the north side of the driveway. No permanent fences are proposed. Susan stated that the project as proposed is in conformance with the requirements of the R-2 Single Family Dwelling District, the Architectural Review Guidelines. Staff is of the opinion that the design and materials are compatible in terms of mass, height, and design with existing nearby homes and recommends approval. The applicant has not submitted approval from the subdivision trustees.

Ms. Strutman presented a color rendering to the members.

Chairman Lichtenfeld asked about the trustee approval.

Mr. Henke stated that he dropped off the plans to the trustees last week and is waiting to hear back; one of them is out of town.

Chairman Lichtenfeld stated that he recommends the motion include a condition that trustee approval be submitted before a building permit is issued.

Pepe Finn asked if there is a 2-car garage next to the a 3<sup>rd</sup>, 1-car garage.

Ms. Strutman replied "yes". She stated that it is a traditional brick home.

Samples of the brick, roofing material, cast stone and stucco were presented.

Ron Reim asked if stucco is being predominately used on the dormers.

Ms. Strutman replied "yes".

Chairman Lichtenfeld stated that he appreciates the windows on the sides of the home.

Ms. Strutman presented elevation drawings.

Chairman Lichtenfeld noted that the property is visible from Polo and South Central.

Ms. Strutman agreed.

Mr. Kissell asked if Ms. Strutman also designed the house at 511 Polo, noting the shingles were upgraded on that home and would like the upgraded shingle on this home as well, so they look more like slate. He stated that several rooflines are found more on homes in west county; not Clayton. He stated that simple rooflines are better for Clayton; although this home is not too bad. He stated that he likes the redder brick. He then voiced his concern over the lack of enforcement with regard to construction fences and silt fences. He asked the developer the time frame for this project.

Mr. Henke indicated the project should be completed in 10 to 11 months.

Hearing no further questions or comments, Mark Winings made a motion to approve with the condition that an upgraded roofing material be used and that Trustee approval be submitted before the building permit is issued. The motion was seconded by Ron Reim and unanimously approved by the Board.

#### ARCHITECTURAL REVIEW – ADDITION AND SIGNAGE – 101 SOUTH HANLEY ROAD (CAPITAL GRILLE [NEW RESTAURANT])

Jack DeGagne, project architect, was in attendance at the meeting. Also in attendance was Sean Smith, sign contractor.

Ron Reim recused himself, due to a conflict of interest. He left the member table and sat at the back of the room. He did not participate in any discussion or vote with regard to this project.

Susan Istenes explained that the subject property is located at the southwest corner of Carondelet Avenue and South Hanley Road and has a zoning designation of High Density Commercial District (HDC). The lot measures 75,999 square feet (1.74 acres) and is improved with a high-rise mixed use office building and parking structure that were constructed in 1985. The surrounding properties are zoned HDC and Special Development District, and primarily contain office buildings. Until recently, the ground floor tenant space facing Carondelet Avenue was occupied by a restaurant (J. Buck's). A new restaurant tenant now proposes to occupy the space. In addition to an interior remodel of the tenant space, the applicant proposes to demolish the existing one-story, non-conforming circular addition on the north side of the building and construct a 2,652-square-foot, one-story addition in the same general location. On March 3, the Board of Adjustment approved the following variances for the project:

- An 8.4-foot variance from the required front yard setback of 10 feet (Section 405.3200.1); and
- A variance from the maximum Floor Area Ratio (FAR) of 3 to allow a FAR of 4.76 (Section 405.3190).

The primary building materials of the addition are brick veneer painted white and black granite accents. Black aluminum is used at the front entrance and storefront windows. The new entrance is framed by two bronze lions set on stone plinths. Free standing black aluminum planters are located along the north and east facades.

The proposed signs are listed in the following chart. The wall signs will be constructed of silver/nickel channel letters and will be halo-illuminated. The following chart summarizes the proposed and allowable signage for the tenant:

Location/Facade	Type	Size	Permitted signage*	Difference	Modification Required
Carondelet Ave.-Front Wall & Front Entrance Stone Plinths	Wall Sign, Plaque (2)	77.3 sf (wall sign), 4 sf (wall plaques)	25 sf (total for façade)	+56.3 sf (225%)	Yes
Front door-Carondelet Ave.	Decal	4.59 sf	3 sf	+1.59 sf (53%)	Yes
Front Wall-Hanley Rd.	Wall Sign	98 sf	25 sf	+73 sf (292%)	Yes
Parking Structure-Hanley Rd.	Wall Sign	51.52 sf	25 sf	+26.52 sf (106%)	Yes
Existing Monument Sign-Hanley Rd.	Tenant Panel	NA	NA	NA	No

The front wall signs for the previous tenant measure 45 square feet combined.



Five of the six proposed signs exceed the allowable size permitted and the regulations state that modifications should only be granted due to unusual conditions of the building or site. The applicant has provided their justification for the requested sign modifications in writing

and is included with the packet. The following are paraphrased from the applicant's submittal:

- “The Capital Grille” brand name is comprised of three words which makes adhering to a small allotment of square footage difficult.
- The signage size is calculated using a single rectangle around the entire sign which is deceiving because the signs are comprised of capital and lower case letters. Dead-space (non-signage area) is included in the total sign size.
- The wall sign facing Carondelet Avenue does not exceed 5% of the front wall area.
- The east elevation facing Hanley Road is unique due to its separation from the corner as well as changes in grade.
- The parking structure wall is currently void of identification and the sign is intended to aesthetically dress the wall and assist motorists in locating the parking.
- The site overall is unique due to the grade change along Hanley Road

New streetscape will be installed along the property's Carondelet Avenue frontage. Public Works has reviewed the proposed streetscape design and has the following comments:

1. Three additional street trees are required.
2. Remove the brick pavers in front of the entrance.

Based on the City's Bicycle Parking Regulations, the project is required to provide one bicycle rack; however, one has not been shown on the plans. Staff recommends that the applicant submit a site plan showing the location of the required bicycle rack in conformance with the Bicycle Parking Regulations, to be approved by staff prior to the issuance of a building permit.

Susan stated that staff is of the opinion that the design and materials of the addition are compatible in terms of mass, height, and design with the existing and nearby structures. The proposed signs feature high quality design and materials. In staff's opinion, the applicant has identified unusual conditions primarily with the design of the signs themselves, not with the building or site. The building is highly visible from Hanley Road and Carondelet Avenue and staff is of the opinion that the number and size of the proposed signs is not compatible with the character of the surrounding area and recommends denial of the requested sign modifications.

However, staff recommends approval of the design and materials of the addition, with the following conditions:

1. That the applicant submit a site plan showing the location of the required bicycle rack in conformance with the City's Bicycle Parking Regulations, to be approved by staff prior to the issuance of a building permit.

2. That the applicant revise the streetscape design to include three additional street trees and the removal of the brick pavers in front of the entrance. The final streetscape layout is to be determined by the City of Clayton Public Works, and additional plan sheets will be required illustrating the city standards and layout.

Louis Clayton informed the members that the building already exceeds the allowable FAR and that the increase in FAR, due to the addition, is small; going from 4.74 FAR to 4.76 FAR.

Mr. DeGagne stated that they are removing the circular front (losing some square footage) and the addition is squaring off the building.

Samples of the brick (white), black metal (trim), and two types of glass were shown.

Chairman Lichtenfeld asked if there is a wall behind the jalousie windows.

Mr. DeGagne replied “yes”. He stated that the building will be beautiful from the street.

A site plan was presented.

Mr. DeGagne informed the members that he is working with Public Works regarding the 3 street trees. He noted that their signage is important and that’s why they did not include trees in front; Capital Grille wants their signs to be seen.

A slide depicting the landscape plan was presented. Mr. DeGagne stated that he is asking Public Works if they can plant three trees at the northwest area of the site in lieu of three trees in front.

Mr. Smith indicated that the site, which they feel is unique, is going through a significant change and that the signage they are proposing for this mixed-use building meets the intent of the ordinance and balance well. He noted that there is no traditional parking for this restaurant. He noted that the site is located in a heavily trafficked area and they want people to know in advance where they are located. He referenced the sign packet; noting that signs A & D are critical and sign E is a new parking structure sign.

Chairman Lichtenfeld asked if there is another sign on the Bonhomme (south) side.

Mr. Smith replied “no”. He stated that they want to direct people to the garage or to the front (there is no public entrance on the south side).

Chairman Lichtenfeld commented that the sign facing Hanley Road is superfluous.

Mr. Smith stated that 20% of their patron population will be those from outside the area.

Chairman Lichtenfeld agreed; stating however he doesn't see that sign serving the purpose they need. He asked that the discussion go back to the street trees along Carondelet; noting that Clayton is honored as being a tree city, an honor that the City would like to keep. He stated that Carondelet is the secondary street.

Mr. DeGagne stated that their front elevation is along Carondelet.

Mr. Smith commented that this restaurant is going in an urban center, which is unique. He noted that at night, sign D will look like it is floating in the air; sign A is halo lit and will provide a softer glow.

Chairman Lichtenfeld stated that at night, the curved sign will be more visible.

Mr. Smith agreed.

Chairman Lichtenfeld questioned the relevance of the curved sign at the corner.

Sherry Eisenberg commented that a smaller sign would fit better on the front elevation.

Mr. Smith indicated that they could reduce the "C" down to 24-inches.

A discussion ensued about various options of letter heights.

Mark Winings asked if the signs under the lions are essential; noting that there are a lot of signs; three in a 6-foot area.

Mr. Smith informed the members that the plaques are critical; the Capital Grill lion signs are their signature.

Chairman Lichtenfeld asked about sign C.

Mr. Smith stated that they could live without that one.

Mark Winings asked how far in excess of the sign ordinance they are requesting, as he is not sure of the justification here.

Chairman Lichtenfeld commented that signs A & D are lit differently; at night sign D will be predominate.

Mr. Smith agreed.

Chairman Lichtenfeld stated that signs C & E are superfluous; sign A should be reduced. He stated that seven signs for a restaurant are a lot.

Mr. Smith commented that signs A & D are important.

Chairman Lichtenfeld indicated that he would like to stay as close as possible to the sign ordinance regulations, while still allowing the opportunity for the restaurant to be successful.

Mr. DeGagne again asked that the City allow them to provide a botanical area rather than planting three trees along their front.

Susan Istenes informed the members that the streetscape (trees, included) regulations are not something this Board can waive; this is a Public Works Department matter, there are adopted streetscape regulations and not up for discussion this evening.

Craig Owens stated that there may be some flexibility with the tree variety.

Chairman Lichtenfeld asked that the discussion go back to the signage.

Mr. Smith stated that he can reduce signs A & D, E and possibly the plaques.

Chairman Lichtenfeld stated that it seems that is going in the right direction.

Craig Owens asked that, because this is such a variance from what is allowed and because there will likely be various reductions, this Board be given the opportunity to review the changes at a future meeting.

Mark Winings asked that the applicant explain the materials.

Mr. DeGagne stated that the white brick will encompass 70% of the façade and that there will be granite along the bottom.

Chairman Lichtenfeld commented that the building looks good.

Mr. Smith asked the members how they would feel about him reducing signs A & D to 48.88 square foot each, for roughly 97.76 square feet total; the code currently permits 78 square feet, so this would be 19.76 square foot more than permitted.

Chairman Lichtenfeld informed Mr. Smith that the changes are up to them to make and re-present to this Board.

Hearing no further questions or comments, Pepe Finn made a motion to approve the addition per staff recommendation and to table the signage pending modification by the applicant. The motion was seconded by Craig Owens and unanimously approved by the Board.

Chairman Lichtenfeld called for a 2 minute recess (7:53 p.m.)

SPECIAL DEVELOPMENT SUBDISTRICT/SITE PLAN REVIEW/  
ARCHITECTURAL REVIEW - NEW CONSTRUCTION – COMMERCIAL  
BUILDING – 8125 FORSYTH BOULEVARD (APOGEE)

Rick Clawson, project architect, was in attendance at the meeting. Also in attendance were Jared Novelly, Apex Oil, developer, and Mike Schoedel, also with Apex Oil.

Susan Istenes provided an overview of the project as follows: The 0.52-acre site is located on the north side of Forsyth Boulevard between Brentwood Boulevard and Maryland Avenue, and has a zoning designation of Special Development District (SDD). The property is improved with a two story commercial building that was constructed in 1947 and is currently vacant. Adjacent land uses include retail and office buildings and Shaw Park to the south. In 1982, the subject property and the other properties in the block bounded by Brentwood Boulevard, Maryland Avenue and Forsyth Boulevard were rezoned to a Special Development District (SDD). As part of the SDD ordinance, the individual parcels on the block were to be developed in phases in accordance with general development standards for height, size and parking found in the Special Development Plan. Since approval of the rezoning in 1982, four office buildings and a shared parking structure have been constructed. Two parcels, including the subject property, have not yet been redeveloped. The property is subject to the use, area, height, and parking requirements which are specified in the Special Development Plan. The project consists of the demolition of the existing structure and the construction of a 238,097-square-foot, 14-story office building including 1,655 square feet of ground floor space for a financial institution and a 3,737 square-foot retail/restaurant tenant. The proposed building will be constructed primarily of architectural precast panels with brick veneer, glass, and metal accents. Parking will be located in the existing parking structure which serves other buildings on the block. A drive through is proposed on the east side of the building for a future bank tenant and is screened by a street level fountain. On December 7, 2015, this project was presented to the Plan Commission/Architectural Review Board for Conceptual Review. This project requires approval of the following applications, each of which is accompanied by a staff report detailing the specific request and the criteria for approval:

1. Special Development Subdistrict
2. Site Plan Review
3. Architectural Review

Rick Clawson introduced Mr. Novelly and Mr. Schoedel to the members. He then asked the member how they would like him to proceed.

Chairman Lichtenfeld asked for a brief summary of the project.

Mr. Clawson indicated that the project is similar to the one that was conceptually presented back in December. A sample of the brick (thin) was presented. Mr. Clawson noted that the brick is similar to that on the Merrill Lynch Center.

Samples of the high performance Low-E glass and canopy glass, stone and metal were also presented.

Chairman Lichtenfeld asked Mr. Clawson to discuss the first agenda item for this project; the special development sub-district; specifically the square footage and parking.

Mr. Clawson stated that they looked at the Special Development District (SDD) Ordinance and that a 14 story building was approved for this parcel. He noted the shared garage, stating that they discussed the parking situation with staff and worked with Crawford, Bunte & Brammeier (CBB) in conducting a parking and access study. He stated that there is a substantial amount of parking in the shared garage, which was increased by 7 levels back when Merrill Lynch took occupancy.

Chairman Lichtenfeld asked if this would be the only building in the SDD without its own parking.

Mr. Clawson replied “no”; noting that there are three, including the existing building. He stated that the amendments they are requesting are for an increase in square footage and no parking within the building.

Chairman Lichtenfeld asked how many parking spaces there are.

Mr. Clawson indicated that in the block, there are 2,806; 2,134 of them in central garage.

Chairman Lichtenfeld asked if 1/3 of those spaces are unoccupied.

Mr. Clawson replied “yes”. He added that levels 10 through 14 are essentially vacant daily.

Susan Istenes informed the members that a representative of CBB is here this evening.

Chairman Lichtenfeld asked the rationale for the requested increase in square footage from the 1982 ordinance which called for a 169,000 square foot building.

Mr. Clawson stated that this building would put 700 plus parking spaces into use and still leave a couple hundred excess spaces.

Chairman Lichtenfeld asked if the driver here is that there is parking to allow for an increase in square footage.

Mr. Clawson confirmed.

Chairman Lichtenfeld commented that this is a strange situation; the City is used to seeing the opposite.

Mr. Clawson agreed. He noted this information has been confirmed by CBB.

Ron Reim asked what happens if space is rented to a higher density user.

Mr. Rensing (CBB) indicated that most uses require parking at a 1 space per 300 square foot ratio; that call centers are not typical in an urban environment as rents are too high.

Mr. Novelly commented that two buildings in the block are 96% occupied and noted that spaces such as lobbies, bathrooms, etc. take up square footage but are not occupied.

Sherry Eisenberg asked if this is the last parcel to be redeveloped.

Chairman Lichtenfeld replied “no”; he stated that the Desco property is.

Mr. Rensing stated that he believes there is no need to construct those 77 parking spaces if and when the time comes.

Gary Feder, attorney representing Shaw Park Plaza, stated that his client has no objection to a building on this site; but oppose a building of this size at this location. He stated that there is a Plan in place that governs the SDD area and sets forth 7 parcels and phasing; the Plan sets a maximum square footage and it’s obvious that in 1982, site designers determined building sizes appropriate for the parcels; noting that a smaller site (parcel) means a smaller square footage building. He noted that the Apogee site provides for the second smallest (at 169,000 square feet) building based on the site size; 8182 Maryland Avenue being the largest site. He noted that the proposal is for a 240,000 square foot building; 40% larger than the SDD permits. He indicated that they waited for the staff report to be released before writing a letter. He stated that Apogee is asking for a variance; something maybe the Board of Adjustment needs to review, but that the Plan Commission and Board of Aldermen can deal with. He stated that

many of the parking spaces are not shared by anyone. Mr. Feder continued by stating that there was a reason why, in 1982, the SDD ordinance provided for a lot and building size; he sees no justification as to why a 240,000 square foot building makes sense. He stated that only two amendments to the SDD have been allowed; in 1988 and in 1999; one allowed the building of Shaw Park Plaza because parcels 3 and 7 were consolidated and the total square footage of the building did not exceed what would have been allowed for each parcel. He stated that parcel 6 was never developed in a meaningful way and if this project is permitted; a larger building will be requested for parcel 6. He asked that the City abide by the SDD Ordinance; noting other concerns such as traffic and parking. He stated that Shaw Park Plaza is 1 ½ stories shorter than this building and therefore, there would be light impacts on Shaw Park Plaza, so he asked that consideration be given to fewer stories. He thanked the members for their time and stated that his clients object to a building that does not comply with the ordinance that is in place. He also asked that a shadow study be required.

Craig Owens asked what impact the proposed building would have on Shaw Park Plaza.

Mr. Feder replied that most of the massing is in the back of the building. He added that Shaw Park Plaza should not have to explain why they object to the proposal; the City should abide by the SDD plan unless there is justification for altering it. He noted that if this approved, it can't be taken back and that Desco will most certainly want a bigger building as well.

Mr. Clawson stated that he just received a copy of Mr. Feder's letter at 3:30 today; so he did not have much time to prepare a response; however, the SDD plan has varied from the original SDD in that the central garage opens up more opportunities and that he does not see how this project does not stay within the intent of the ordinance. He reminded everyone that the City chose the traffic engineer for this project.

Mr. Novelty indicated that the SDD pre-dates the garage and that square footage is not defined (as mechanical rooms, bathrooms, etc. are not excluded). He stated that they didn't just make up some size; the building square footage is less than Shaw Park Plaza and 8182 Maryland Avenue. He added that there was a variance for Shaw Park Plaza to allow a taller building. He stated that they have 30 years of data that they didn't have 30 years ago [when the SDD ordinance was originally adopted] and he believes this is what the plan envisioned. He reminded the members that they own two other buildings and want this building to be marketable.

Mr. Feder indicated that Shaw Park Plaza's site is much larger (parcels 3 & 7 combined) and that FAR is created by lot size. He emphasized that this will set a precedent.

Mr. Novelty commented that if this building contained 2 to 3 levels of parking, the result would be the same mass building as they are asking for now.

Ron Reim stated that there had to be some thought process when the garage was built; parking is expensive.

Mr. Clawson agreed; he stated that extensive discussions took place in 1999-2000.

Chairman Lichtenfeld asked how the parking is structured.

Mr. Clawson stated that there are 3 levels below grade; the at-grade level and 10 levels above grade.

Chairman Lichtenfeld asked if there are two garage exits.

Mr. Clawson replied “yes”; main exits.

Chairman Lichtenfeld stated that numbers are going around and around in his mind and that ultimately, the Board of Aldermen has to consider whether or not to approve the SDD amendment. He then referred to Page 8 of the SDD staff report.

Craig Owens asked if there are any objections to any of the staff recommendations (listed below):

1. The applicant shall submit the following information and/or plan revisions to be reviewed and approved by staff prior to consideration by the Board of Aldermen.
  - a. Conceptual approval from the Metropolitan Sewer District.
  - b. Add the following note to sheets C01, C03, & C04 and the Subdivision Plat to clarify the location of the dedication area: “Property shall be dedicated to the City of Clayton Right-of-Way for the area in between the existing right-of-way line and the proposed private retaining wall along Forsyth Blvd.”.
  - c. Revise the site plan to accurately depict the 12 required bicycle racks including the design and setbacks from other features in compliance with the Bicycle Parking Regulations.
  - d. Provide site distance triangles at the entrances/exits of the site.
  - e. Provide Auto Turn simulation to verify all emergency vehicles, trash trucks, delivery trucks, etc. can make all the necessary turning movements throughout the alley. In particular at the approaches off Forsyth and around the loading zone.
  - f. Provide Auto Turn simulation to verify that the proposed median in Forsyth Boulevard does not prohibit turning movements to and/or from Parkside Drive.
  - g. Illustrate turning movements for the vehicles entering and exiting the drive through lanes.
  - h. Confirm the location of teller windows and/or ATM to verify potential stacking demands.
  - i. Taller plantings should be added along the tallest sections of the exposed ramp wall areas to soften the hardscape condition along the street.

- j. A section detail for a typical planter that illustrates the soil conditions, drainage and irrigation should be provided.
  - k. Two existing street trees are shown to be preserved; however, should be shown to be replaced.
  - l. Add a note on the plans that the final selection of street species will be determined by the City at a later time.
  - m. Submit an updated digital tree chart for review. Provide the tree charts on the plans to accurately depict tree replacement requirements.
  - n. Remove the note regarding removing and replacing the streetscape as needed.
2. The applicant shall comply with the following prior to submitting an application for a Building Permit:
    - a. Payment to the City's Forestry Fund in the amount of \$120 per caliper inch deficiency.
    - b. Application and approval of a Subdivision Plat.
    - c. Application and approval of an aerial easement for the sunscreen encroachment.
    - d. Recording the approved development plan and Special Development Subdistrict Ordinance with St. Louis County and submitting proof of recording to the City.
  3. That this approval is conditioned upon approval of amendments to the Special Development Plan for building area, use, and parking, at the discretion of the Board of Aldermen.
  4. The final streetscape layout is to be determined by the City of Clayton Public Works, and additional plan sheets will be required illustrating the city standards and layout.
  5. The contractor will be responsible for installing a covered walkway per City standards to maintain pedestrian access.
  6. The applicant shall be responsible for the cost associated with modifications to signal timing at nearby intersections.

Mr. Clawson indicated that they have submitted their plans to MSD and that the General Contractor is working with the City's Public Works Department regarding Item No. 5.

Chairman Lichtenfeld indicated that he is always concerned with changing an ordinance; however, he does feel this building may fit in as proposed.

Sherry Eisenberg asked how this affects the other two agenda items.

Susan Istenes indicated that they (site plan review/architectural review) would be contingent upon the Board of Aldermen approving the amended SDD.

Hearing no further comments or questions, Ron Reim made a motion to recommend approval of the SDD Sub-district (for Apogee) pursuant to staff recommendations (above). The motion was seconded by Mark Winings and received the following vote: Ayes: Craig Owens, Chairman Lichtenfeld, Mark Winings, and Ron Reim. Nays: Sherry Eisenberg. Motion carries.

Susan Istenes stated that the site plan will now be reviewed; noting that staff recommends approval with the conditions contained in the SDD amendment report and that approval would be contingent upon approval of the amended SDD by the Board of Aldermen.

Mr. Clawson commented that some items relate to architectural issues.

Chairman Lichtenfeld indicated that some do relate to one another. He asked about the potential bank drive-through.

Mr. Clawson presented various options with regard to a drive-through facility.

Chairman Lichtenfeld stated that it seems very difficult.

Mr. Clawson stated that the amount of traffic would be minimal.

Ron Reim commented that it seems to be a key component of the site plan.

Mr. Novelty voiced his concern as there are five banks who are currently interested.

Chairman Lichtenfeld asked if the loading dock area has sufficient turn-around.

Mr. Clawson replied “for 53 foot trucks, yes”. He stated that their loading dock area is similar to other buildings.

Chairman Lichtenfeld asked if they would go left out of the site to head east on Forsyth.

Mr. Clawson replied “yes”; noting that a right turn would be difficult.

Chairman Lichtenfeld asked if there would be a conflict with the generator.

Mr. Clawson indicated that their engineering department is working on that with Ameren.

Ron Reim commented that elevating the first floor drives the ramp and the fountain used to screen the drive-through works against the Master Plan.

Mr. Clawson indicated that they had a struggle with the sloping grade issue and that due to what’s underground, the building had to be elevated.

Mr. Novelty stated that it is in keeping with their other buildings, which are not conducive to a pedestrian view.

Mr. Clawson presented a slide depicting three site plan options on how to accommodate the required bicycle racks and how to achieve the recommendations made by the City’s contracted

architect. He stated that Apogee wants to lease one side of the first floor to one large tenant, likely a restaurant. He asked that they be allowed to stay with the design as presented.

Chairman Lichtenfeld asked where the valet will be if there is a single tenant restaurant.

Mr. Clawson indicated that they will work with the restaurant and the City.

Chairman Lichtenfeld commented that he likes the idea of the landscaping in front, but a restaurant tenant will want that area for outdoor dining.

Mr. Novelly stated that they would have to provide an exhaust system and that because of that, a restaurant requiring a hood system may be prohibited.”

Chairman Lichtenfeld stated that there may be a need for a series of doors along the building front.

Mr. Novelly indicated that he would be okay with that; he assumed there would be one tenant.

Ron Reim noted that a restaurant of that size traditionally needs a hood system.

Mr. Novelly stated that 3,700 square feet is hardly large by Clayton’s standards.

A discussion regarding bicycle racks ensued. Louis Clayton informed the members that bicycle racks adjacent to an alley is not ideal and it is preferred they be located within 50 feet, in a visible location. He reminded the members that the bicycle rack requirement can be waived. A discussion about providing some bicycle racks in the garage ensued.

Hearing no further questions or comments, Mark Winings made a motion to approve per staff recommendations and that the location of bicycle racks be approved by staff. The motion was seconded by Ron Reim and unanimously approved by the members.

The architectural aspects of the project were now up for review.

Ron Reim asked about the sun canopy; noting that it is not shown on the site plan. He asked if any of it projects over the property line.

Mr. Clawson noted that this is a zero lot line property and the canopy projects 10 feet from the building. He stated that it is 215-feet above grade and that the alley is owned by the same person, so they can initiate an air rights easement to themselves. He indicated that the lower canopy over the steps does not project over the property line.

Susan Istenes asked for clarification that the canopy is within the boundaries of the property.

Mr. Clawson reiterated that the canopy on the Forsyth Boulevard elevation does not go over the property line, but does go over the setback line. The canopy at the top of the building does go over the alley.

Mr. Novelty stated that they will purchase air rights from Shaw Park Plaza and that all property owners have alleyway easements.

Craig Owens asked if ice will collect on the canopy.

Mr. Clawson stated that there will be ice guards.

Hearing no further questions or comments, Ron Reim made a motion to approve as designed/presented. The motion was seconded by Craig Owens and unanimously approved by the Board.

Chairman Lichtenfeld asked when they plan to start construction.

Mr. Clawson stated that they have to get approval from the Board of Aldermen first. Mr. Clawson mentioned concerns the owners have regarding a median on Forsyth Boulevard.

Mr. Clawson was informed that one was installed in front of the CVS Pharmacy on Brentwood Boulevard.

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Ron Reim commented that the City would benefit from an updated Master Plan; he would like better guidance.

Susan Istenes indicated that the City is currently working on 3-4 major projects and that working on updating the Master Plan could possibly begin in 2018.

Craig Owens announced that we have no authority regarding subdivision indentures and the City should not deny something that is allowed under our laws.

Being no further question or comments, this meeting adjourned at 9:45 p.m.

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Recording Secretary