City of Shrewsbury
Plan Commission Public Hearing
December 13, 2012

A meeting of the Plan Commission was held on the 13 day of December, 2012 at the Shrewsbury City Center, 5200 Shrewsbury Avenue, Shrewsbury, Missouri. The meeting was called to order at 6:30 p.m. in the Aldermanic Chambers.

Commissioners Present:	Carol Basler	Commissioner
	Mike McArthur	Commissioner
	Karen Diehl	Commissioner
	Paul Sneed	Commissioner
	Garen Miller	Commissioner
	Wayne Smith	Commissioner
	Steve Loher	Commissioner
	Tom Craddock	Commissioner
Other City Staff Present:	Jonathan Greever	Director of Administration
	Matt Stoll	Code Enforcement Officer
	Bill Fox	Fire Chief
	Jim Wilder	Building Commissioner

Chairman Loher called the meeting to order. Director of Administration Jonathan Greever took roll call. All commissioners were present.

Chairman Loher, read the scope of the meeting to remind all present of the focus of the meeting. He also reminded the commission of its purview and stated that none of the plans are in their final form. He further stated that the Building Commissioner and Fire Chief had submitted memos to the Commission and were present to answer questions and address any concerns. He asked that everyone remember that this was not a forum to discuss matters of public financing or to discuss any particular retailer.

Public meeting to consider the Special Use Permit submitted by Lipton-Kenrick Associates L.P. c/o Grewe, Inc.

Presentation by the developer

Gary Grewe introduced himself and gave a brief history of his company and some of the projects they have developed over the years. He introduced his team, and then turned the floor over to Rich Obertino from TRI Architects to present the development plans.

Mr. Obertino began his presentation by showing the existing property and outlining the boundary lines and discussing some of the peculiar aspects of the site. Some of the challenges that exist onsite include the undesirable topography of the site and the transmission tower located on the site, along with the wires and bases that attach to the tower. He explained that they have worked extensively with Wal-Mart to make sure the store they want to build there is advantageous to all shoppers and residents. He added that the bank that is currently on the property would be moved to Lot 2

Mr. Obertino described the proposed changes, including moving the entrance slightly to the west and the use of extensive landscaping. He highlighted five particular areas of improvement. The first was the entrance on Watson, which would have new fountains and landscaping, which they believe would enhance Watson Road. The second was a decorative retaining wall and landscaping which would level the parking lot and make the site more safe and useful for retail. Third was at the back of the property southwest of the existing building, where there would be a wall with a screening fence and landscaping at the base of the wall to make it more aesthetically pleasing. He explained that currently, the view is of rooftop units and dumpsters. He stated that the developer was proposing to maintain and add to the existing landscaping and use fencing to make the view more pleasant. Fourth, he proposed the creating of a sort of buffer in the back where the landscaping was sparser, with increased landscaping to make that area more attractive. Finally, Mr. Obertino presented the proposed elevations of the planned building and explained the design history of the property.

Bill Bunte with Crawford Bunte and Brammeier, a traffic engineering firm, next made a presentation about the traffic study done on the area. He explained that MODOT owns Watson Road, and as a result, was concerned about how much traffic the road currently handled, how much traffic will be added by this project, where the access points would be, and how the project will affect traffic flow in the future.

Mr. Bunte presented slides showing the current access points. He then presented a slide showing the proposed changes to the access points, and explained that currently, Watson Road carries about 18,500 cars per day, which is a relatively low volume for a road of that size. He elaborated that with the proposed changes, there would be three access points and described them in detail. He also explained how the traffic would change and how those numbers were found. He stated that there would be about 250 two-way trips in and out during peak hours and about 375 during Saturday at mid-day. He stated that he is comfortable in his assessment that Watson Road would be able to handle the additional traffic.

Mr. Bunte next presented two traffic forecasts. The first was in 2014 when the new development would be open, and the second was for 2034. For the past 20 years, traffic volumes have held steady, but he would expect a 10% increase with the addition of this development. He then discussed the delay time on Watson, and stated that the forecasts for both 2014 and 2034 show the delay time would be no more than 20 seconds. He presented a letter from MODOT stating that they are satisfied with the findings of the study and giving permission to proceed with the development. Mr. Bunte then touched on the closing of Trianon Parkway as was envisioned by the current development plan.

Mr. Obertino stated that the TIF Commission is underway and that the developer was hoping to get a positive recommendation from the Plan Commission that night. He wanted to address some letters they had received regarding the development. He stated that they are only focusing on Lots 2 & 3 for this particular permit. He stressed that the plans before the commission are not final building plans, but rather possible options for the adjacent property. He further addressed the issue of parking numbers, stating that the tenants knew what the requirements are as well as what was necessary for their business to be successful. He emphasized that they are comfortable with the parking situation, and that with regards to the ordinance, they were confident they can meet the requirements.

Chairman Loher asked about the closing of Trianon Parkway, and about the access to Watson Road for the residents in the subdivision behind the proposed development. Mr. Obertino explained where the road would be closed and added that the residents would have a type of hidden access would likely only be known and utilized locally. He further explained that Lower Kenrick would still be open to vehicles.

Commissioner Miller asked if the Lower Kenrick area was private property and if a right-of-way would be created. Mr. Obertino answered it was, but that there are currently reciprocal agreements in place where access must be granted. Commissioner Miller asked if it was possible to create a right-of-way so it was officially publicly accessible. Mr. Obertino answered that it had already been re-platted and easements were already in place.

Commissioner Smith asked about the lack of detention basins and if the project was compliant with current MSD standards. Mr. Obertino answered that they were, and that all new standards and requirements for MSD would be met. He further answered that the pond would have to be re-worked, there would not be an open detention basin, and water quality studies would have to be done to ensure compliance.

Commissioner McArthur asked who would be responsible for work on the pond. Mr. Obertino answered that his team would.

Commissioner Craddock asked about access to the loading docks. Mr. Obertino answered that trucks could either come in the main entrance and turn around, or they could go down to the lower access points and back in.

Commissioner Miller asked about the retaining wall on the east side of the building, the road that connects Watson with Lower Kenrick, and if the road was one way. He was informed that it was two-way with full access and a right-in/right-out road, which is the same as what it currently is. It was further explained that from Lower Kenrick, across the bridge, a vehicle could either go right to Wal-Mart or left to Watson Road. Additionally, if someone were coming from the housing right behind Wal-Mart, they would need to cross in front of Wal-Mart to access the light on the southwestern side of the property.

Commissioner Craddock asked for clarification that one access point would be eliminated and there would be a barrier wall with a fence on top. Mr. Obertino clarified for him that the fence would block the view of the back of the store and any lights from the store. Furthermore, the wall would basically wrap the entire back of the building and would be landscaped to shield the residential area from the store. Additionally, the wall would be staggered back due to its height, but set back enough from the street to not be a problem.

Commissioner Miller noted that there were not elevation marks on one portion of the map and asked for clarification, and Mr. Obertino explained the proposed elevation further. Commissioner Miller asked about the elevation of the residential properties, which Mr. Obertino also explained that currently, the residents looked down onto trash enclosures and rooftop units, but the plan was to make sure they were looking at the landscaped decorative wall.

Commissioner Sneed asked about the cul-de-sac that was being created by closing off Trianon Parkway, and that the Fire Marshall was satisfied with the access the fire trucks would have. Mr. Obertino responded that access would be a condition of whatever was planned there and they would

make sure that Chief Fox was satisfied with what they decide to do. Mr. Obertino further explained that the staff reports had been very good about addressing those kinds of issues.

Commissioner Craddock asked what the plan was for the creek, and asked if it was going to be cleaned out. Mr. Obertino answered that it would stay open, and that while they could do some minor clean-up, MSD did not allow cleaning out undergrowth, because it slows the water down, and cleaning it could cause downstream effects. He stated that it would, however, be maintained.

Commissioner Smith asked about the letter sent to the City, which mentioned changes to the site plan and what requires approval. He asked for clarification on that point. Mr. Obertino answered that it was a staff-level issue where the City staff could advise on fire issues, parking issues, etc., and that they would not be making changes without the City knowing. Chairman Loher replied that it was his belief that major changes would have to go through the Board of Aldermen. Mr. Obertino clarified that once all approvals had been granted, team of engineers would come in and fully engineer the project and those details would be addressed at that point, when permits were pulled.

Commissioner Miller asked about Lot 2 and access easement agreements and how and when that was going to be approached. Mr. Obertino answered that a reciprocal easement agreement would be put in place to guarantee access. Commissioner Miller asked if there were plans to bury the power lines that would be going across Watson Road. Mr. Obertino answered that there were not.

Chairman Loher asked about the guy wires and what was going to be done with them. Mr. Obertino answered that they would remain in place and they had designed an area around them to enhance them

Commissioner McArthur asked Building Commissioner Wilder about his memo, which states that parking issues would need to be addressed. Mr. Wilder responded that he was given very limited, vague plans, and that his report is cursory. He explained that when they apply for a building permit, finished, definitive plans would have to be submitted and he would be apply the building codes to those plans. He also recommended that the Plan Commission attach a condition to their approval of a special use permit that the plans must meet all of the codes and ordinances of the City of Shrewsbury. Chairman Loher thanked Mr. Wilder and clarified that if a Special Use Permit were issued at the meeting, there would still be many steps that would need to be taken before work started. Mr. Obertino mentioned that there would be many other entities that agreements would have to be finalized with, such as MODOT and MSD, and that they were looking for permission to continue with the process.

Fire Chief Bill Fox stated that he had met with Mr. Wilder and confirmed that there would be extensive review on the fire code, questions relating to the plans, and everything would be built according to code.

There being no further questions or statements by the Plan Commission or City staff, Chairman Loher opened the floor for public comments and questions.

Ms. Celeste Burke, a resident of the Villas of Kenrick, asked if the proposed store was a 24-hour supercenter, and upon receiving confirmation, asked how the current plan was different than the last one. Mayor Buckley answered that Lower Kenrick was included in the last plan, and Ms. Burke responded that she had read an article in which Mr. Grewe expressed concern about the guy wires. Mayor Buckley explained that there was a lot of discussion about what would be done about the guy wires, and that slowed the process down for a while. Ms. Burke asked if there were going to be

lights 24 hours a day, and Commissioner Loher answered that code would require lighting in the parking lot, but the engineers would ensure that the lighting was directed only at the parking lot to minimize any effect on surrounding residents.

Ms. Eileen Dorsey, of 7420 Williamsburg Colonial Lane, expressed concern about how the project was going to affect the citizens of Shrewsbury. She also questioned how she would reach Watson Road from her home. Chairman Loher answered that if one wanted to go west on Watson, the east access road would be used, and if one wanted to go east on Watson, a path through the parking lot would be used. Ms. Dorsey asked why a stoplight couldn't be put up at the lower access point. Chairman Loher answered that MODOT dictated that. Ms. Dorsey asked if the store was going to be open 24 hours, Chairman Loher also confirmed, and Ms. Dorsey asked if there would be lights on 24 hours a day, which Chairman Loher also confirmed. Ms. Dorsey expressed her belief that the developers did not care about the citizens of Shrewsbury. Commissioner Sneed addressed the question of lighting, stating that the elevation of the store would help screen the lighting from the surrounding residents. Ms. Dorsey asked how the residents were going to keep the people taking the bus to Wal-Mart out of their neighborhood. Chairman Loher answered that he didn't believe that question was within the scope of the Plan Commission.

Ms. Dorsey then asked about the toxins that she had read were dumped on the site in the 1950s. Commissioner Miller answered that a Phase 1 Environmental Study would be done which would address any such concerns.

Ms. Dee Wiecher, Alderwoman of Ward 2, stated that she purchased her home because of the access that it provided to Watson Road. She added that while she knew there was commercial property there, she chose that home specifically because she could go either east or west on Watson Road. She expressed concern with having to drive around a Wal-Mart to access Watson Road. She hoped that the City would take the citizens into consideration. Ms. Wiecher clarified that the tenants of this proposal were Wal-Mart and First Bank.

Ms. Eileen Dorsey stated that she moved to Shrewsbury to take care of some people, and she drives east on Watson Road most of the time. She expressed disbelief that the development would close a major access point. She stated her belief that she would have been able to develop a better answer to this issue, and Chairman Loher answered that this had been discussed for three years, and that she could have proposed her solution well before the current meeting.

Mr. Elmer Hecker, resident of Kenrick Parke Drive, asked about the access on the east side, and asked for clarification regarding the incline of that road. Chairman Loher attempted to clarify the elevation issue. Commissioner Smith suggested showing Mr. Hecker the elevation map in an attempt to answer his questions. Commissioner McArthur suggested that the Board defer to the developer to answer the question.

Ms. Margaret Smith, 7330 Sutherland, stated that she knew when she bought her property that there was commercial property at the end of her street, therefore she knew she couldn't control how it was used. She expressed her belief that those who do not want to deal with commercial property should buy a property near commercial areas. She further thanked everyone for the time put in to restore a blighted area and improve Shrewsbury.

Ms. Wiecher asked about the access to the exit for residents, and how it would be legal for residents to pass through the private property on Lower Kenrick. Chairman Loher deferred to the developer.

Mr. Rich Obertino answered the issue of the 24 hour store, and explained that the number of people shopping late at night would be very low, but there would be people working there 24 hours. Keeping the store open is more of a courtesy, as the store doesn't make as much money during that time. The site lighting is dictated by city ordinance and codes, and residents wouldn't be looking at the glare of bare light bulbs. He added that there were also mandates regarding how much light can be produced at night.

Mr. Obertino further stated that a great deal of time had been dedicated ot things such as the landscaping on the outside of the walls which do not benefit the store at all, but are instead included for the surrounding residents and the community. He also stated that the developers were members of the community and were interested in making sure the development was long-term and beneficial.

Mr. Obertino stated that MODOT regulations preclude a second stoplight at the lower entrance to the center and it would adversely affect traffic to install one. He stated that the issue of toxins in the ground would be address if any were actually found in the ground. Chairman Loher clarified that they would take care of any existing toxins and would not be adding any more toxins to the ground.

Mr. Obertino addressed the closing of Trianon Parkway, stating that in the past there was probably more cut-through traffic than is there currently, and leaving that road open would leave the surrounding neighborhoods open to excessive cut-through traffic which would ultimately be more detrimental than closing the street. Chairman Loher asked him to address the legality of residents crossing private property to get to Watson, and Mr. Obertino answered that there were easements in place to allow for that. Mayor Buckley clarified that those easements would make it legal to cross that private property, and that as it currently stands, the owners of Lower Kenrick actually encourage more traffic through their property. Ms. Wiecher asked for more clarification, and Mayor Buckley re-iterated that the owners have never had an issue with it and they were opposed to closing off the property to through traffic because it encourages more people to shop on their property. It was explained that the ingress and egress easements were listed on the survey, and if a problem did arise, it would be up to the developer to find a solution.

Mr. Obertino acknowledged that there were only two tenants being discussed, but he believes that once momentum on this project starts building, there would be an opportunity to expand into the lot to the west and hopefully they would be back with a plan for that area. Chairman Loher clarified that the scope of this application was only lots 2 and 3.

Mr. Obertino addressed the issue of elevation, and explained that the proposal was for the road to stay flat and the Wal-Mart elevation would be 10 feet lower than the current buildings. Furthermore, they would try to avoid bringing in more dirt and would instead try to balance the site. He explained that there would be some slope to the parking lot for the drainage and whatnot, but it would have to be relatively flat. The retaining wall would start at almost zero and gradually get taller so coming across the bridge, the incline would be more gradual. Mr. Hecker clarified that the whole lot would not be level, and Mr. Obertino answered that as Watson Road starts to decline coming from the west, the wall in the front would gradually get taller. He displayed a mock-up of the proposed southeast corner to show how the lot elevation would work.

Commissioner Miller asked if the developers would have any objection to using "dark sky" certified light fixtures. Mr. Obertino answered that Wal-Mart was a very strong advocate of green building practices, and that was something they would be looking into when creating the final plans.

Chairman Loher stated that he would be willing to entertain a motion to recommend that the Board of Aldermen issue a Special Use Permit per the meeting notice with the addition of a stipulation per Building Commissioner Wilder regarding adherence to the City Code, invoking section 405.060(c)(4). Commissioner Miller made the motion, which was seconded by Commissioner Diehl, and it was approved unanimously.

Old Business
None

New Business
None

Adjournment
There being no further business to consider, Commissioner Diehl made a motion to adjourn the meeting. Commissioner Basler seconded the motion, and it was unanimously passed.

The meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Carly West
City Clerk