

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Acting Director of Planning

DATE: January 8, 2007

SUBJECT: Planning & Zoning Committee Meeting Summary
January 4, 2007

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held on Thursday, January 4, 2007 in Conference Room 101.

In attendance were: **Chair Mary Brown** (Ward IV); **Councilmember Barry Streeter** (Ward II); and **Councilmember Dan Hurt** (Ward III).

Also in attendance were Councilmember Bruce Geiger, Ward II; Councilmember Mike Casey, Ward III; Maurice L. Hirsch, Jr., Planning Commission Chair; Mike Herring, City Administrator; Mike Geisel, Acting Director of Planning; Aimee Nassif, Senior Planner; Jennifer Yackley, Project Planner; and Mary Ann Madden, Planning Assistant.

Chair Brown called the meeting to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY

- A. Approval of the December 7, 2006 Planning and Zoning Committee Meeting Summary

Councilmember Streeter made a motion to approve the Meeting Summary of December 7, 2006. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 3 to 0.**

II. OLD BUSINESS – None

III. NEW BUSINESS

Chair Brown announced that the agenda would be changed to review item III.B. first.

- B. P.Z. 24-2006 Monarch Center (158 Long Road):** A request for a change of zoning from “NU” Non-Urban to “PC” Planned Commercial District for 10.14 acre tract of land located north of Edison Road, east of Long Road.

Staff Report

Ms. Aimee Nassif, Senior Planner, stated that the Public Hearing for the subject petition was held in November 2006. The Planning Commission amended the petition by eliminating “bait shops” from use “n” as a permitted use. The Commission approved the petition, as amended, by a vote of 7 to 0.

The Planning Commission reviewed the petitioner’s request to allow a reduction in the open space requirements from 40% to 33%. The motion to allow the open space reduction required 6 votes in favor of the reduction – the motion failed by a vote of 4 to 3.

The Petitioner is requesting that City Council review its request for a reduction in open space, which has now been increased to 35% from the 33% denied by the Planning Commission. It was noted that the Petitioner still meets the required parking with the 35% open space.

Staff recommends approval of the 35% open space based upon its review of the surrounding areas and their open space percentages. Staff is of the opinion that the reduction in open space is warranted by the Petitioner’s good design practices including: extra landscaping; an open plaza area; pedestrian walkways throughout the entire development; and additional trees in the parking areas above the requirements of the Tree Manual, which calls for a tree within every **50’** of a parking space – the proposal shows a tree within every **35’** of a parking space.

Mr. Geisel, Acting Director of Planning, clarified that Ordinance 1747 dictates the 40% open space requirement. The Ordinance states that if retail is developed next to a commercial development, 40% open space is required. The Comprehensive Plan, however, only requires 30% open space. The commercial development requiring the 40% open space is the Pohlmann Industrial Building immediately to the north of the subject site.

Mr. Geisel further stated that Staff recommends approval of the 35% open space because of the corridor design off of Edison Avenue, which allows traffic to enter the site without encountering conflicts of cars backing in and out. The design is a major improvement for circulation and safety.

The site has three entrance points off of Edison Avenue, which was negotiated by the City when improvements to Edison Avenue were being made.

Staff also requests that the following three amendments be included in the Attachment A:

AMENDMENT 1

To account for the easement being required by St. Louis County for Long Road, the following amendment to the setback is being requested:

E. SETBACKS, PAGE 4

1. STRUCTURE SETBACKS

No building or structure, other than: a freestanding project identification sign, boundary and retaining walls, light standards, flag poles or fences will be located within the following setbacks:

- c. One hundred forty five (145) feet from the western boundary of the "PC" District with bearing N01°24'00"E.
- i. For Building "A": ~~ninety six (96) feet from the western boundary of the "PC" District with bearing N01°24'00"E.~~ **eighty (80) feet from the roadway easement for Long Road.**

AMENDMENT 2

The petitioner has provided on the preliminary plan the conceptual location of several loading spaces. Two of the buildings on the site do not currently have loading spaces shown, but may elect to have a loading space in the future. Staff is requesting that the loading space setbacks be incorporated into the parking setbacks. In addition, two amendments are being requested to the parking setbacks.

E. SETBACKS, PAGE 4

2. PARKING SETBACKS

No parking stall, **loading space**, internal driveway, or roadway, except points of ingress and egress, will be located within the following setbacks:

- a. ~~Sixty five (65)~~ **Twenty (20)** feet from the eastern boundary of the "PC" District with bearing S00°34'00"W.
- c. Forty eight (48) feet from the western boundary of the "PC" District with bearing N01°24'00"E.
- i. For Building "A": ~~ninety six (96) feet from the western boundary of the "PC" District with bearing N01°24'00"E.~~ **fifteen (15) feet from the roadway easement for Long Road.**

~~3. LOADING SPACE SETBACKS~~

~~No loading space will be located within the following setbacks:~~

- ~~a. Two hundred fifty (250) feet from the eastern boundary of the "PC" District with bearing S00°34'00"W.~~
- ~~b. Sixty (60) feet from the northern boundary of the "PC" District with bearing S89°27'00"E.~~
 - ~~i. For Building "A": eighty (80) feet from the northern boundary of the "PC" District with bearing S89°27'00"E.~~
- ~~c. One hundred seventy five (175) feet from the right-of-way of Edison Road.~~

AMENDMENT 3:

St. Louis County Department of Highways and Traffic has advised that, at this time, they would not permit access to this development from Long Road. However, upon review of the preliminary development plan, the City of Chesterfield does not have any issue with the possibility of future access from Long Road and requests the following amendment:

K. ACCESS/ACCESS MANAGEMENT, PAGE 7

- 1. ~~Access to this development from Long Road will not be permitted.~~
Access to this development from Long Road will not be permitted unless specifically approved by the Department of Public Works, the St. Louis County Department of Highways and Traffic, and/or the Missouri Department of Transportation.

Ms. Nassif reported that Councilmember Flachsbart had expressed his concern over the following requested uses shown in Section C.1. of the Attachment A:

Councilmember Flachsbart suggested that the following use be designated as an "ancillary use".

- d. Automatic vending facilities for:
 - i. Ice and solids carbon dioxide (dry ice);
 - ii. Beverages;
 - iii. Confections

Councilmember Flachsbart requested that the following uses be **eliminated**:

- I. Filling stations, including emergency towing and repair services, provided that no automobile, truck or other vehicle may be parked or stored in the open on the premises for longer than twenty-four (24) hours.

- s. Outdoor advertising signs (additional to provisions of Section 1003.168).
- ee. Vehicle service centers for automobiles.
- ff. Vehicle washing facilities for automobiles.

Councilmember Flachsbart requested that the following use be amended as follows:

- x. Restaurants, fast food – **no drive-thru**

Councilmember Hurt made a motion to amend the Attachment A to show use d. “Automatic vending facilities” as an ancillary use; and to remove use s. “Outdoor advertising signs” from the Attachment A. The motion was seconded by Councilmember Streeter and **passed by a voice vote of 3 to 0.**

Councilmember Hurt asked that use d. “Automatic vending machines” be changed to an ancillary use on all future Attachment A’s.

Planning Commission Report

Planning Chair Hirsch reported that the three curbs shown on the site are by contract with the Petitioner, Mr. Kirchoff, with respect to rights-of-way when Edison Avenue was constructed.

The Planning Commission discussed open space at its meeting. With seven members present that evening, four voted in favor of allowing the 33% open space and three opposed the reduction. Six votes were required to allow the 33% open space. Even with the good planning practices demonstrated, some members of the Commission expressed concern with the density of the site.

DISCUSSION

Curb Cuts

Mr. Geisel stated that, in 1997, the City executed a Right-of-Way Dedication Agreement with the Petitioner, which provided for the free dedication of right-of-way for Edison Avenue provided that up to three curb cuts would be allowed with certain provisions regarding their distance away from Edison Avenue and their separation from each other. The Agreement states that the City would not object to, or promote, direct access to Long Road. At this time, St. Louis County does not want direct access to Long Road.

Councilmember Hurt expressed concern about the three curb cuts. He noted that currently Edison Avenue flows very well because there are very few curb cuts. He asked Mr. Kirchoff to review the possibility of eliminating one curb cut to keep the traffic flow moving.

Mr. Geisel pointed out that the easternmost curb cut will be very expensive for the Petitioner to develop because of the main drainage channel requiring three 36” pipes underneath the proposed entrance. If one curb cut is eliminated, the Petitioner would probably choose to eliminate this one.

Councilmember Geiger asked if a left-hand turn lane would be constructed on Edison for entrance into the subject site. Mr. Geisel replied that if the required Traffic Study warrants a left-hand turn lane, it will be required. There is space along Edison that would allow widening without affecting the open space of the subject site.

Mr. Doster noted that the drive aisles are unique in the way they are designed and landscaped. He feels that the three proposed access points work very well with the proposed plan.

Mr. Kirchoff stated that the site could be owned by three different owners, each of whom would probably expect direct access to his property from Edison Avenue.

Councilmember Geiger expressed concern that the three access points would adversely affect the traffic flow along Edison.

Mr. Geisel pointed out that the Attachment A requires that the Petitioner provide a Traffic Study at the direction of the City and/or County. The scope of the study shall include internal and external circulation and may be limited to site specific impacts, such as the need for additional lanes, entrance configuration, geometrics, sight distance, traffic signal modifications or other improvements required. This requirement gives the City the ability to require a center lane or deceleration lane if traffic to/from the development warrants it.

Open Space

Mr. Mike Doster, Attorney for the Petitioner, stated that an effort has been made to make the front parking fields greener than what is normally seen in a retail center. When the plan was initially filed, the open space was at 30%; it was increased to 33% when presented to the Planning Commission; and has now been increased to 35%. The Petitioner is requesting a 5% deduction in open space from the required 40%.

He noted that the maximum Floor Area Ratio (F.A.R.) for the site is .25; the proposed plan provides .15, which the Petitioner feels should be taken into consideration for the open space reduction request.

Mr. Doster referred to his letter of December 28, 2006 which states that the following areas adjoining the southern and eastern boundaries of the site should be considered:

- Right-of-way dedication by Petitioner for Edison Avenue in lieu of condemnation encompassing 14,895 unpaved square feet.
- The triangular piece of ground at the southeast corner of the site comprising 3,267 square feet, owned by the Monarch Levee District but will not be used by the District.
- Petitioner conveyed adjoining property east of the site to the St. Louis Family Church, 14,300 square feet of which is subject to a storm water drainage easement on the eastern boundary of the site; this area will remain open and green.

If the above three areas were included in the calculations, the open space would be 42.7%.

Uses

Councilmember Hurt noted that the plot plan does not show any car washes or filling stations and asked whether these uses could be removed. Mr. Kirchoff indicated that these uses were included for possible future use of the site.

The Petitioner would like to keep the following uses:

- Filling station
- Restaurant, fast food with drive-thru
- Car wash
- Service Center

The Committee felt that the following uses should be limited to one:

- Filling station
- Car wash
- Service Center

Mr. Brandon Harp, Civil Engineer for the Petitioner, stated that when the site was being planned, they reviewed the geometry of the site; how the different uses could fit the site; the site length; the visibility of the site; the depth of the parking fields in relation to the different uses; and how they could all work together. Between each bay of parking there is a 6' landscaped island and on the ends, there are 10' with the end caps. They have created a focal point between the two main retail buildings with an open plaza, which could be used for outdoor dining. The site also includes a sculpture pad.

Councilmember Streeter made a motion to amend Section S. "Miscellaneous" of the Attachment A to include a requirement for public art. The motion was seconded by Councilmember Hurt and passed by a voice vote of 3 to 0.

Councilmember Streeter made a motion to amend Section D.3.a. regarding openspace as follows:

~~Openspace includes all areas excluding the building or areas for vehicular circulation.~~

~~A minimum of forty percent (40%) openspace is required for this development.~~

A minimum of thirty-five percent (35%) openspace is required for this development due to good planning and urban practices and design, which include the decreased floor ratio over the minimum standard, enlarged landscaped islands between each row of parking, installation of a public art

feature in one of the enlarged landscaped islands, an outdoor seating and plaza area, and pedestrian walkways from the bus stops on Long Road to each building on site.

The motion was seconded by Chair Brown and **passed** by a voice vote of 3 to 0.

Chair Brown made a motion to include in the Attachment A the three amendments specified by Staff regarding “Structure Setbacks”, “Parking Setbacks”, “Loading Setbacks”, and “Access/Access Management”. The motion was seconded by Councilmember Streeter and **passed** by a voice vote of 3 to 0.

Chair Brown made a motion to amend Section C of the Attachment A regarding “Permitted Uses” as follows:

- I. **No more than one** filling stations, ~~including emergency towing and repair services,~~ provided that no automobile, truck or other vehicles may be parked or stored in the open on the premises for longer than twenty-four (24) hours.
- ee. **No more than one** vehicle service centers for automobiles.
- ff. **No more than one** vehicle washing ~~facilities~~ **facility** for automobiles.

The motion was seconded by Councilmember Streeter and **passed** by a voice vote of 3 to 0.

Councilmember Streeter made a motion to forward P.Z. 24-2006 Monarch Center (158 Long Road), as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed** by a voice vote of 3 to 0.

**Note: One bill, as recommended by the Planning Commission, will be needed for the January 17, 2007 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Mike Geisel, Acting Director of Planning, for additional information on P.Z. 24-2006 Monarch Center (158 Long Road).]

- A. **P.Z. 4-2006 City of Chesterfield (Tree Manual)**: A request to repeal City of Chesterfield Ordinance 2235 and replace it with a new ordinance that revises the procedures and requirements for reviewing and approving landscape plans, tree stand delineations, and tree preservation plans.

Staff Report

Ms. Jennifer Yackley, Project Planner, stated that the changes to the Tree Manual, as presented to the Planning Commission, are included as an attachment to the Staff Report. The most notable changes include:

- The Street Trees, as listed in Appendix A, are now compatible with the 2006 City Council Approved Street Tree List.
- The format of the Tree Manual has been changed to match the City Council Approved Street Tree List allowing generic tree varieties when applicable.
- Language has been inserted to require buffers along collector and arterial roadways for all developments.

The Planning Commission approved the Tree Manual by a vote of 8 to 0.

Councilmember Streeter made a motion to forward P.Z. 4-2006 City of Chesterfield (Tree Manual) to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed** by a voice vote of 3 to 0.

**Note: One bill, as recommended by the Planning Commission, will be needed for the January 17, 2007 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Mike Geisel, Acting Director of Planning, for additional information on P.Z. 4-2006 City of Chesterfield (Tree Manual)].

IV. PENDING PROJECTS/DEPARTMENTAL UPDATE - None

V. ADJOURNMENT

The meeting adjourned at 6:35 p.m.