

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: November 29, 2005

SUBJECT: Planning & Zoning Committee Meeting Summary – **November 28, 2005**

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held on Monday, November 28, 2005 in Conference Room 101.

In attendance were: **Chair Mike Casey** (Ward III); **Councilmember Jane Durrell** (Ward I); **Councilmember Connie Fults** (Ward IV); and **Councilmember Bruce Geiger** (Ward II).

Also in attendance were Stephanie Macaluso, Planning Commission Chair; Teresa Price, Director of Planning; Annissa McCaskill-Clay, Assistant Director of Planning; Aimee Nassif, Project Planner; and Mary Ann Madden, Planning Assistant.

Chair Casey called the meeting to order at 8:30 a.m.

I. APPROVAL OF MEETING SUMMARY

Councilmember Geiger made a motion to approve the Meeting Summary of **November 9, 2005**. The motion was seconded by Councilmember Fults and **passed by a voice vote of 4 to 0**.

It was agreed to change the order of the Agenda to review items III.A. and II.A. last.

II. NEW BUSINESS

- B. Tower Center (Pulaski Bank-GHH Investments):** A request for an amendment to City of Chesterfield Ordinance Number 1677 for an amendment to the structure setback requirement for a 2.296 acre tract of land zoned "PC" Planned Commercial District located south of Chesterfield Airport Road, west of Long Road and north of St. Louis, Kansas City and Colorado Railroad. (17701 Edison)

Project Planner Aimee Nassif stated that the requested ordinance amendment is to change the structure setback to allow for the sale of part of the building. The structure setback

was changed in the ordinance to zero. Other amendments to the ordinance update it to include the Lighting Ordinance and Tree Manual.

Planning Chair Stephanie Macaluso reported that the Planning Commission accepted the ordinance amendment.

Councilmember Fults made a motion to forward Tower Center (Pulaski Bank-GHH Investments) to Council with a recommendation to approve. The motion was seconded by Councilmember Geiger and **passed by a voice vote of 4 to 0.**

**Note: One bill, as recommended by the Planning Commission, will be needed for the December 5, 2005 City Council Meeting.
See Bill #**

- C. **P.Z. 28-2004 Blue Valley (Agricola Associates, L.L.C.)**: A request for a change of zoning from an “NU” Non-Urban District to a “PC” Planned Commercial District for three parcels of land on Olive Street Road, located. 5 miles west of the intersection of Olive Street Road and Chesterfield Airport Road. Total area to be rezoned: 55.8 acres. (Locator Numbers: 17W-52-0025, 17W-53-0123, 16W-21-0022)

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, stated that the Planning Commission recommended approval on October 14, 2005 by a vote of 9 to 0 with the following amendments:

- A 40% open space requirement for the overall development.
- The open space calculations shall not include any areas that are used for outdoor sales.
- The setback from Olive Road is 100 ft.
- The setback from the northern boundary is 150 ft.
- The parking setback is 30 ft.
- An area is to be reserved for the display of art so long as the art to be displayed is mutually agreed upon by the City of Chesterfield and the Petitioner.

Ms. Macaluso reported that the Planning Commission had considerable discussions pertaining to the open space; outdoor sales; and the display of art. The wording for the display of art was taken from the ordinance for Capitol Land. Currently, the Ordinance Review Committee is reviewing the issue of public art and will propose ordinance language.

DISCUSSION POINTS

Public Art

Councilmember Durrell was in agreement with the wording of reserving an area for the display of art but expressed concern about mandating the display of art.

Since the Comprehensive Plan calls for 50% open space in this area, Councilmember Geiger suggested that the wording reducing the open space requirement to 40% be tied to reserving space for public art.

Valley Master Plan

Councilmember Fults expressed concern that this petition does not comply with the vision for this area as outlined in the Valley Master Plan. She noted that the open space has been reduced from 50% to 40%. She has concerns about traffic and the high density of the project. She felt that this project will be setting a precedent for the rest of the area. She stated that if higher-density projects are to be allowed with 40% open space, the roads need to be able to support the traffic.

Ms. McCaskill-Clay noted that the Land Use for this Sub-area 2 allows for “low-density office and retail”.

Traffic

Ms. Julie Nolfo, Professional Traffic Operations Engineer, gave a report on the recommended road improvements. She distributed a map depicting the recommended improvements and a phasing chart indicating when the improvements would be required. The phasing was worked out with the Department of Highways & Traffic of St. Louis County and the City’s Department of Public Works.

Ms. Nolfo noted that some of the improvements are not triggered by this particular development but are needed for this area at the present time. It has been determined that the Traffic Generation Assessment will not cover all of the improvements; however, the developer has agreed to pay the difference. At the present time, not all of the property has been acquired for the improvements. The developer has also indicated that he will make good faith efforts to acquire the required properties.

It was noted that the Attachment A requires all the recommended improvements to be in place prior to 60% occupancy.

The Committee asked that a report be given from Mr. Geisel regarding the recommended road improvements.

It was suggested that the Attachment A be amended to reference the improvements chart provided by Ms. Nolfo as an exhibit under Item L.4.

Councilmember Geiger suggested amending the Attachment A, Section L.3 as follows:

“All roadway and related improvements ~~in each plat or phase of the development~~, as referenced in Exhibit A which is attached, shall be constructed prior to 60% occupancy of ~~that plat or phase~~ the development.”

TGA Language

It was noted that the standard language regarding the TGA implementation provisions was omitted from the Attachment A and should be included.

Open Space

Councilmember Geiger suggested that the language regarding open space and the display of public art be tied together.

Councilmember Fults felt that the issue of public art may be “muddying the waters” with the issue of open space. She felt the Committee should determine what it wants to see in terms of open space requirements for this area.

Ms. Macaluso referred to “Greenspace Exhibit A” included with the Staff report. It was noted that the developments in the surrounding area were less than 50%.

Councilmember Casey made a motion to hold P.Z. 28-2004 Blue Valley (Agricola Associates, L.L.C.) until the December 8th meeting and to request a report from Mr. Mike Geisel regarding the traffic improvements as outlined in the chart provided by Ms. Nolfo, cross access and traffic signalization plans. The motion was seconded by Councilmember Durrell and passed by a voice vote of 4 to 0.

Councilmember Geiger made a motion to direct Staff to bring forward proposed language tying together open space and public art. The motion was seconded by Councilmember Durrell and passed by a voice vote of 4 to 0.

- D. P.Z. 15-2005 Chesterfield Airport Road Investments LLC (Terra Corporate Park):** A request for an amendment to City of Chesterfield Ordinance 1708 to permit additional uses and amendments to several area, height, lot and setback requirements in conjunction with a revised preliminary plan for a 24.9-acre “PI” Planned Industrial district located on the north side of Chesterfield Airport Road across from its intersection with Trade Center Boulevard. (Locator Numbers 17V62-0049, 17V62-0050, 17V62-0072)

Ms. McCaskill-Clay stated that the current plan shows five outlots with a mixture of retail and two-story office buildings within the development. The Planning Commission recommended approval on October 14, 2005 by a vote of 9 to 0 with the following amendments:

- Delete Permitted Use #10 regarding “*Dwelling or lodging units, only for watchmen, caretaker, or other personnel whose residence on the premises is essential to the operation of a permitted use or uses.*”
- Add language reserving an area for the display of art.

- For the area north of Long Road Crossing Boulevard, the floor area is not to exceed 150,000 sq. ft.
- For the area south of Long Road Crossing Boulevard – north of the outlots, the floor area is not to exceed 60,000 sq. ft.
- The total amount of square footage constructed for the overall development, including the outparcels, is based on the developer's ability to comply with the parking regulations of the City of Chesterfield Zoning Ordinance.

The Petitioner is requesting the use of "filling station". The Attachment A is written limiting the filling station to either Lot 6 or Lot 7 of the development. The Petitioner has excluded emergency towing, repair service, and car wash.

One of the permitted uses that was ancillary for the development was moved to being a permitted use for the area north of Long Road Crossing Boulevard.

Ms. Macaluso reported that the Planning Commission had considerable discussion relative to Permitted Uses. As a result, a lot of the uses were eliminated. The Planning Commission also reviewed the request for a filling station and agreed to allow it on either Lot 6 or Lot 7. The traffic flow for the filling station would be reviewed at the Site Development stage.

DISCUSSION POINTS

Filling Station Use/Traffic

Councilmember Fults expressed concern about have a filling station on the site with respect to how it would affect traffic volume and traffic patterns. Ms. Price pointed out that the Traffic Study required by the Attachment A must address the issues of queing and stacking with each Site Development Section Plan.

Councilmember Fults felt that the Committee had conceded in allowing the use of "retail" on the site, as opposed to "office" use only. She has considerable concern about the permitted use of a filling station.

Councilmember Durrell requested information on statistics with respect to how much traffic is generated by a gas station vs. office vs. retail. Mr. Stock indicated this information could be made available using a 3200 sq. ft convenience store with a specified number of pump islands compared to a 5,000 sq. ft. retail building. He did not feel the traffic numbers would show a substantial difference between the two.

Mr. Doster stated that the developer is trying to meet the market by providing viable commercial developments in the Valley. They felt they had to adjust the uses to meet the market because the properties were not moving. A number of potential users had inquired about a filling station use. They feel they can make the site attractive and can make the internal circulation work.

Uses

The petitioner is requesting the following:

- Filling station use to be added to one of the outparcels for the southern PI district.
- In the northern portion, “stores, shops, markets, etc.” be moved from an ancillary use to a permitted use.

Changes to Area, Height, Lot and Setback Requirements

Regarding the request for changes relative to area, height, lot and setback requirements, Councilmember Fults suggested that a marked-up copy of the Attachment A be provided.

Size of Filling Station

Chair Casey asked if there are limitations on the size of the filling station. Mr. Doster indicated that he could provide some information on this.

Automatic Power of Review

It was agreed that Automatic Power of Review should be included in the Attachment A.

Councilmember Fults made a motion to hold P.Z. 15-2005 Chesterfield Airport Road Investments LLC (Terra Corporate Park) and to direct Staff to provide a marked-up version of Attachment A of all the changes. The motion was seconded by Councilmember Geiger and **passed by a voice vote of 4 to 0.**

- A. **P.Z. 28-2005 City of Chesterfield (Lighting Ordinance):** A request to amend the City of Chesterfield Lighting Ordinance to address the type of residential outdoor light standards provided by AmerenUE.

Project Planner Aimee Nassif stated that the Department received a letter from AmerenUE indicating that the lighting they install in residential neighborhoods is not fully-shielded, flat lens lighting making them non-compliant with the Lighting Ordinance. The Ordinance would be amended as follows:

- To allow AmerenUE to install dusk to dawn post-top luminaries in residential subdivisions only.
- To include language addressing street light fixtures to insure that they are all uniform and to be reviewed by the Planning Commission.
- To allow holiday lighting from **November 15 to January 25** as opposed to November 25 to January 25.

DISCUSSION POINTS

Holiday Lighting

It was noted that commercial businesses need to have their holiday lighting illuminated the day after Thanksgiving and sometimes Thanksgiving is celebrated before November 25th.

Councilmember Fults made a motion to forward P.Z. 28-2005 City of Chesterfield (Lighting Ordinance) to Council with a recommendation to approve with the following change to the language regarding “Holiday Lighting” (Amendment One):

*“**Continuous illumination of** residential and commercial holiday lighting is permissible from November 15 to January 25.”*

The motion was seconded by Councilmember Durrell and **passed** by a voice vote of 4 to 0.

**Note: One bill, as recommended by the Planning Commission, will be needed for the December 5, 2005 City Council Meeting.
See Bill #**

Amendment to Proposed Language

Councilmember Durrell suggested that commas be added to the proposed language as follows:

“Dusk to dawn post-top luminaires for residential subdivisions only, provided by AmerenUE, are permitted.”

Lighting Fixtures

Discussion was held regarding the following proposed language:

“To achieve uniformity, existing developments shall utilize the same light fixture, standard, and luminaire throughout the entire development.”

Councilmember Geiger pointed out that older residential subdivisions may have difficulty in matching replacement fixtures with the original fixtures and questioned whether this wording would require that all the fixtures be replaced.

Ms. Macaluso pointed out that the proposed language also refers to existing commercial developments in situations where remodeling may take place.

It was agreed to amend the language with a Green Sheet (Amendment Two) as follows:

- 8) *Fixtures. Street lighting fixtures for new developments shall be approved by the City of Chesterfield Planning Commission.*
 - a) *To achieve uniformity, new developments shall utilize the same light fixture, standard, and luminaire throughout the entire development.*

- b) Existing commercial developments shall utilize the same light fixture, standard, and luminaire throughout the entire development, unless otherwise approved by the Department of Planning.

II. OLD BUSINESS

A. Residential and Tandem Parking Requirements

DISCUSSION POINTS

Guest Parking

Councilmember Geiger noted that the proposed .75 space per living unit for guest parking would eliminate some street parking; however, it would also decrease the open space. He suggested changing guest parking to .5 space per living unit.

Councilmember Durrell felt keeping the parking at 1.5 spaces per living unit and increasing the guest parking above .75 spaces per living unit would be more appropriate.

Councilmember Geiger made a motion to approve a minimum of 2 parking spaces for every living unit; to add language stating that tandem parking shall count only as one parking space and that each car must be able to enter and exit a parking space independently of the movement of any other vehicle; and to add language requiring an additional .5 space for guest parking. The motion was seconded by Councilmember Fults.

Chair Casey felt the guest parking should be .75 space per living unit.

The motion tied by a voice vote of 2 to 2.

Ms. Price stated that this issue needs to go to Public Hearing. Since the vote was tied, she suggested forwarding it to the Ordinance Review Committee for recommendations on what should be forwarded to the Public Hearing.

Councilmember Geiger made a motion to forward the issue of Residential and Tandem Parking Requirements to the Ordinance Review Committee. The motion was seconded by Councilmember Fults and **passed** by a voice vote of 4 to 0.

IV. PENDING PROJECTS/DEPARTMENTAL UPDATE - None

V. ADJOURNMENT

The meeting adjourned at 10:24 a.m.