

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Planning & Public Works

SUBJECT: Planning & Public Works Committee Meeting Summary
October 18, 2007

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, October 18, 2007 in Conference Room 101.

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

Also in attendance were Councilmember Bob Nation (Ward IV); Maurice L. Hirsch, Jr., Planning Commission Chair; Libbey Malberg, Assistant City Administrator for Economic & Community Development; Mike Geisel, Director of Planning & Public Works; Mara Perry, Senior Planner; and Mary Ann Madden, Planning Assistant.

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

I. APPROVAL OF MEETING SUMMARY

A. Approval of the October 4, 2007 Committee Meeting Summary

Councilmember Durrell made a motion to approve the Meeting Summary of October 4, 2007. The motion was seconded by Chair Fults and **passed** by a voice vote of 4 to 0.

II. OLD BUSINESS - None

III. NEW BUSINESS

- A. **P.Z. 32-2007 MPD Investments, LLC (17481 and 17485 North Outer 40 Road)**: A request for a change of zoning from "C-8" Planned Commercial District to "PI" Planned Industrial District for an 8.3 acre tract of land located north of North Outer 40 west of Boone's Crossing (17U520148 & 17U520159).

Staff Report:

Ms. Mara Perry, Senior Planner, stated that there is an existing building, owned by Outdoor Equipment, on the subject site. It is intended that this building will be removed and a new building constructed in its location.

The subject petition was before the Planning Commission on October 8, 2007 and was passed by a vote of 7 to 1. Two Public Hearings were held for the petition with the second Public Hearing advertising one additional use for "animal hospitals and veterinary clinics".

Planning Commission Report:

Planning Chair Hirsch stated that the Commission had some issues with several of the requested uses. The Petitioner was amenable to the suggestions made by the Commission.

The one vote against the petition was from Commissioner Perantoni, who indicated that she was not voting against the zoning, but was casting a negative vote because the site has three access points. Planning Chair Hirsch noted that the three access points currently exist and they comply with the City's Access Management Plan. Because there is nothing on the other side of North Outer 40 Road, it was felt there wouldn't be any problems with left-hand turns.

Mr. Mike Geisel, Director of Planning & Public Works, stated that the existing accesses on the east and west sides are also cross-access easements. The existing center access also provides shared access for both lots within the proposed development.

The following uses were revised by the Planning Commission (**revisions shown in bold**):

- 1.f. Mail order sale warehouses (**excluding on site sales**);
- 1.k. Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith (**excluding facilities that generate hazardous, environmental waste, liquid, solid or gaseous**).

~~1.n. Sales, servicing, repairing, cleaning, renting, leasing, and necessary outdoor storage of equipment and vehicles used by business, industry, and agriculture;~~

2. The above uses in the "PI" Planned Industrial District shall be restricted as follows:

a. Only two of uses o. Vehicle repair facilities, p. Vehicle service centers, and q. Vehicle washing facilities shall be a permitted use at any time.

b. Only one of uses o. Vehicle repair facilities, p. Vehicle service centers, and q. Vehicle washing facilities shall be a permitted use on any individual lot.

3. The following ancillary uses shall be permitted:

a. Automatic vending facilities for:

- i. Ice and solid carbon dioxide (dry ice);
- ii. Beverages;
- iii. Confections.

b. Cafeterias for employees and guests only.

c. Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles. ~~for a period in excess of seventy-two (72) hours (excluding for a period in excess of seventy-two (72) hours)~~

DISCUSSION

Condition of the Existing Road

Chair Fults noted that the existing road is in very bad condition and asked what repairs would be made to it. She expressed concern about adding more traffic to the road in its present state.

Mr. Geisel replied that the Petitioner is required to add a third lane but the Petitioner is not responsible for the care and maintenance of the roadway. MoDOT is responsible for the maintenance of the road but it is not assumed that MoDOT will make any repairs at this time.

Access Points

Councilmember Hurt questioned the need for three access points to the site.

Mr. Mike Doster, representing the Petitioner, stated that there are three existing curb cuts on the site and they would like to keep all three. There are cross access requirements on the east and west sides.

Mr. Geisel stated that the distance between the curb cuts is approximately 330 feet on the west and over 440 feet on the east. Staff had no objection to the three curb cuts because (1) they are already there; (2) there is no opposing left turn; (3) the curb cuts along North Outer 40 also provide access to properties behind the levee and are therefore in fixed locations; and (4) the location of access provided for the adjacent properties.

Councilmember Hurt did not think keeping the curb cuts “just because they already exist” is a valid argument for retaining all three of them.

The three curb cuts were then reviewed:

- The eastern curb cut will be shared between two parcels.
- When the property to the west was rezoned (Chesterfield Valley Motor Sports), there was an existing vacant parcel to its west. Chesterfield Valley Motor Sports was required to provide cross access to the parcel to the west. The Outdoor Equipment site is set up so it will have cross access to the parcel which is Chesterfield Valley Motor Sports – but Chesterfield Valley Motor Sports currently does not share this access. Mr. Geisel pointed out that the Outdoor Equipment site and the Chesterfield Valley Motor Sports site are both very narrow because of a 50-foot building line, which will be consumed by the drainage ditch and the existence of the levee with the adjacent seepage berm and its restrictions. As a result, there is not a lot of room to get cross traffic either in front of, or in back of, the western two parcels.
- The middle access point also has a cross access agreement between two parcels.

Councilmembers Hurt, Geiger, and Durrell did not see the need for the middle access point.

Mr. Doster stated that the three access points had been approved and accepted by Staff and the Planning Commission. He noted that they meet the Access Management guidelines. The frontage along the two lots is almost 800 feet and he questioned the rationale for cutting an access point. He felt three access points are justified because:

- There is ample frontage;

- The access points are being shared on the east and west;
- There is no conflicting movement from the opposite side of the Outer Road; and
- They meet the Access Management guidelines.

Councilmember Hurt made a motion to remove the middle curb cut. The motion was seconded by Councilmember Durrell.

Chair Fults disagreed with removing the middle curb cut. She felt that the 800 feet of frontage justified the three access points taking into consideration that there is no opposing traffic.

Councilmember Geiger stated he supports eliminating the curb cut at this time, but may change his vote at Council after he drives through the area.

Councilmember Hurt encouraged the Committee members to look at the access management along Chesterfield Airport Road and Edison Avenue – specifically the distance between curb cuts. He feels that the subject area should be managed in a similar manner.

Councilmember Durrell pointed out that more traffic will be generated from the subject site when it is developed. She felt that there are fewer traffic accidents when there are fewer access points.

Chair Fults suggested allowing the Petitioner to decide which curb cut would be removed instead of dictating that the middle one be removed. Councilmember Hurt stated that he prefers the distance between access points to be well over 600 feet.

Mr. Doster pointed out that only a Preliminary Plan has been presented for the rezoning request. He stated that the buildings shown on the Preliminary Plan may not be built exactly as presented. He questioned how the Petitioner is “to prove need” when a Site Plan has not yet been presented.

Councilmember Hurt pointed out that the access management along Airport Road and Edison Avenue has improved the traffic situation. He feels that the access management issue should be resolved upfront rather than at the Site Development stage.

Mr. Geisel stated that the motion removing the middle curb cut cannot be incorporated into a “green sheet” amendment because there is no Site Plan showing a middle access point.

Councilmember Hurt amended his motion to limit the development to two access points, instead of three, and to require cross access to the adjoining properties. The amended motion was accepted by Councilmember Durrell and **passed by a voice vote of 3 to 1 with Chair Fults voting “no”.**

Safety and Access

Mr. John Willems, Stock & Associates, felt that having more access points would get motorists off the main artery sooner, which he thought would reduce the number of accidents.

Notwithstanding the subject site, Mr. Geisel pointed out that, generally, there is an inverse correlation between the capacity, speed, and accidents of a roadway to the number of conflict points on the roadway segment.

Since the existing roadway is in poor condition, Chair Fults felt that getting the motorists off the main road and onto the internal roadway is a safer alternative.

Uses

Chair Fults expressed concern about outdoor storage of equipment. The Petitioner agreed to have Permitted Use “r.” restricted to indoor storage only.

Chair Fults made a motion to amend Section I.A.1. of the Attachment A as follows (changes shown in green):

- r. Warehousing, storage, or wholesaling of manufactured commodities (indoor only);**

The motion was seconded by Councilmember Geiger.

Councilmember Durrell felt that outdoor storage could be acceptable if is properly screened or landscaped. Mr. Geisel pointed out that on the subject site the landscaping would be very limited because of the sand berm.

The motion to amend use r. **passed by a voice vote of 4 to 0.**

Discussion was also held on whether use m. should be revised with respect to allowing the outdoor storage of used vehicles. Mr. Doster stated that the Petitioner has correlated the requested uses to the permitted uses of Larry Enterprises, which has the same zoning designation.

Councilmember Geiger made a motion to forward P.Z. 32-2007 MPD Investments, LLC (17481 and 17485 North Outer 40 Road), as amended, to City Council with a recommendation to approve. The motion was seconded by Chair Fults and **passed by a voice vote of 4 to 0.**

**Note: One bill, as recommended by the Planning Commission, will be needed for the November 5, 2007 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Mike Geisel, Director of Planning & Public Works, for additional information on P.Z. 32-2007 MPD Investments, LLC (17481 and 17485 North Outer 40 Road).]

B. Distribution of Planning Commission Minutes

Discussion was held on whether the Committee needed a draft copy of the Planning Commission's minutes prior to the minutes being posted on the City's website. Since the minutes are posted the day prior to the Planning & Public Works Committee meetings, it was agreed that this was sufficient time for the Committee to review any items they may wish to research prior to the Committee meeting.

C. Upcoming Meetings

Planning Chair Hirsch stated that the Ordinance Review Committee is meeting **October 24th** to review the Residential Districts.

The Planning Commission is scheduling an additional meeting in November set for **November 15th**. It was noted that there is not adequate time to prepare reports for a meeting packet from this November 15th meeting for the scheduled November 21st Planning & Public Works Committee meeting.

Chair Fults made a motion to cancel the November 21st Planning & Public Works Committee meeting. The motion was seconded by Councilmember Geiger and **passed by a voice vote of 4 to 0.**

It was noted that if an additional Committee meeting is necessary in December, the Committee members are amenable to it.

D. Uses in PC and PI Districts

It was noted that the Ordinance Review Committee is reviewing the uses in the PC and PI Districts.

Councilmember Hurt stated that he does not want to lose the manufacturing sector when the uses are being reviewed.

Mr. Geisel stated that facilities are being excluded that generate hazardous and environmental waste. He noted this could include dentist and medical offices and suggested that the language be reviewed carefully.

It was suggested that the language for “outdoor storage use” include proper screening of such storage.

E. Landmark Preservation Commission

Councilmember Durrell stated that the Ordinance for the Landmark Preservation Commission calls for nine members. She related that two additional persons have expressed interest in serving on the Commission and asked if this could be accomplished.

Mr. Geisel replied that the composition of this Commission is dictated by Ordinance so members cannot be added without Council’s approval.

During discussion, it was suggested that additional members be added as at-large members or as alternate members. An alternate member would be allowed to vote in the absence of a regular Commission member.

Councilmember Durrell made a motion directing Staff to propose changes to the mechanism that would allow the expansion of the Landmark Preservation Commission’s membership to include at-large and/or alternate members. The motion was seconded by Councilmember Geiger and passed by a voice vote of 4 to 0.

IV. ADJOURNMENT

The meeting adjourned at 6:37 p.m.