

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa Price, Director of Planning 

DATE: August 25, 1998

SUBJECT: Planning and Zoning Committee Meeting Summary from August 20, 1998

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:40 p.m., on Thursday, August 20, 1998, in the City Council Conference Room. In attendance were Chair Dan Hurt (Ward III); Councilmember Barry Flachsbart (Ward I); and Councilmember Barry Streeter (Ward II). Also in attendance were: Mayor Nancy Greenwood; Councilmember Linda Tilley (Ward IV); Robert Grant, Planning Commission Chair; Teresa Price, Director of Planning; and, Laura Griggs-McElhanon, Assistant Director of Planning.

* To Be Discussed at 9/9 City Council Meeting

I. Approval of Planning and Zoning Committee meeting summary of August 6, 1998.

Councilmember Flachsbart noted that the motion and second on page 3, re: P.Z. 17-98, needed to be corrected. Staff was directed to check their notes and make corrections as needed.

A motion to approve the meeting summary of August 6, 1998, as amended, was made by Councilmember Streeter, seconded by Councilmember Flachsbart, and approved by a vote of 3 to 0.

II. Department Update – Director Teresa Price

This item was not discussed by the Committee.

***III. P.Z. 22-98 G.H.H. Investment, L.L.C.**; a request to rezone the 38.6 acre “M-3” Planned Industrial District located on Long Road, into two (2) distinct zoning designations: a “PC” Planned Commercial District is proposed for the 18.34 acre parcel A and a “PI” Planned Industrial District is proposed for the 20.23 acre parcel B.

Planning Director Teresa Price presented the request for Long Road Commons, which includes: Parcel A, Town Centre, 18.34 acres to be rezoned to “PC” Planned Commercial District, to contain retail, offices and 3 outlots; and Parcel B, 20.23 acre to be rezoned to “PI” Planned Industrial

District, to contain 11 lots to be developed with office/warehouses/industrial uses. She stated that the Planning Commission had concerns relative to access and hours of operation. Director Price noted that page 7 of Attachment A contains architectural guidelines which resulted from review of this project by the Architectural Review Board. She pointed out that a letter from Mike Doster, attorney for the petitioner, containing concerns with some of the conditions in Attachment A, had been received. (copies of this letter were handed out to the Committee)

Councilmember Streeter stated that he is not comfortable with having 4 pages of permitted uses.

Planning Director Teresa Price stated that the petitioner wants the shopping center to be able to accommodate potential users. She noted that per the direction of the City Attorney, Attachment A has permitted uses, 1(a), and restrictions on those uses, 1(b).

The Committee discussed the number of uses proposed and overlapping uses between "PC" and "PI" Districts.

Planning Director Teresa Price noted that an example of restrictions placed by the Planning Commission was on outpatient substance abuse.

Planning Commission Chair Bob Grant stated that various Planning Commission members had concerns about the number of uses proposed. The Commission felt that outpatient substance abuse treatment should be allowed in conjunction with a doctor's office.

Planning Director Teresa Price stated that the Planning Commission also added "no outdoor storage or sale of vehicles" to the development restrictions, but the development is still permitted to sell vehicles inside a building.

Councilmember Flachsbart expressed concern about "PC" uses #11, #32, #33, #34 (see attached). He recommended that "PC" use #11 (filling stations) be allowed in either the "PC" or the "PI" District but not both. He suggested that in "PI" use #5 (relay towers) be eliminated.

A motion was made to delete "PI" use #5, page 3 (Broadcasting, transmitting, or relay towers, studios, and associated for radio, television, and other communications.), by Councilmember Flachsbart, seconded by Councilmember Streeter, and approved by a vote of 3 to 0.

Councilmember Flachsbart recommended that this development be limited to one filling station.

(It was noted that Mike Doster, attorney for the petitioner, would address this use.)

A motion was made to delete "PC" use #29, page 2 (Souvenir shops and stands, not including any zoological displays, or permanent open storage and display of manufacturing goods.), by Councilmember Streeter, seconded by Chair Hurt, and approved by a vote of 2 to 1, with Councilmember Flachsbart voting no.

Councilmember Streeter inquired if pawnshops would be permitted in this development.

Planning Director Teresa Price responded that the City is currently classifying pawnshops as a financial institution.

A motion was made, to prohibit Pawnshops in both the "PC" and "PI", by Councilmember Streeter, seconded by Councilmember Flachsbart, and approved by a vote of 3 to 0.

There was general discussion about the hours of operation and the desire to have the same hours of operation for the proposed development as was approved for Chesterfield Commons.

Councilmember Tilley stated that any other restrictions in the Commons should be the same in the "PC" District only (truck restrictions, outdoor storage, etc.)

There was general discussion of the required water feature (Attachment A, page 7, #7).

A motion was made by Councilmember Streeter to amend Attachment A, page 7, #7, to require an "active water feature".

The motion died for lack of a second.

There was general discussion about sign requirements, including flashing lights or other attention getting devices.

A motion was made by Councilmember Flachsbart to add the following under Sign Requirements: Vehicles with commercial signage in excess of 2 square feet are prohibited during non-business hours.

The motion died for lack of a second.

There was extensive discussion of vehicles with commercial signage parking in parking lots.

A motion was made by Councilmember Flachsbart to add the following under Sign Requirements: Vehicles with commercial signage in excess of 2 square feet shall only be parked in the rear parking area, a minimum of 150 feet from Long Road.

The motion was seconded by Chair Hurt.

Chair Hurt suggested that the area be increased to 4 square feet.

Councilmember Flachsbart accepted the revisions to his motion.

The motion was approved by a vote of 3 to 0.

Discussion of the letter from Mike Doster:

Planning Director Teresa Price indicated she had talked to Public Works Director/City Engineer Mike Geisel about the letter resulting in the following recommendations:

- Item 1(a): Mike Geisel has no problem with this request.
- Item 1(b): This is up to the City Council.
- Item 2: Mike Geisel stands firm on 150 foot separation. He suggested that there could be 3 entrances per 2 lots, encouraging shared access.
- Item 3(a): Long Road is a County Road, so it is the County's call relative to credits for improvements to Long Road.
- Item 3(b): Edison has always been required to be 38 feet in width.
- Item 3(c): Edison is a City Road, and we don't know if the County will allow credits.
- Item 4: None of these are City issues (either County or MSD).

Mike Doster stated that he will discuss Item 3 with the County, as applicable, and Item 4 with the appropriate agency.

Chair Hurt recommended that the Committee agree with Mike Geisel's recommendations. He stated that he agrees that reimbursement for offsite work on Edison is appropriate and he asked staff to advise the Council on the funding mechanism to be used for reimbursement prior to the City Council meeting.

Councilmember Flachsbart stated that he would vote against a TIF.

Extensive discussion of restricting hours of operation and/or eliminating the commercial uses in the "PI" District.

Mike Doster stated that some uses in the "PC" District want 24-hour operation (restaurant, pharmacy). He stated that he is not prepared to comment on the landscaping issue at this time (to be same as Commons), however, they have no problems with the same outdoor display restriction as in the Commons.

Councilmember Flachsbart stated that there are numerous uses in the "PI" District that should be subject to hours of operation like in the "PC" District (Attachment A, pages 3 and 4, #2, 7, 11, 12, 20, 23, 25, 27, 28, 29, 30, 31, 34, 37, 38, 39, 40, 41, and 43 – see attached copy of pages 3 and 4.)

There was general discussion on hours of operation.

After discussion with the Committee and Mike Doster, Councilmember Flachsbart amended his proposed list of uses in the "PI" that should be subject to hours of operation as follows: #2, 12, 27, 29, 39, 31, 34, 37 (with the exception that automatic vending facilities may be operated 24 hours a day), and 38.

Chair Hurt suggested that the petitioner be allowed to digest the "PI" hours of operation restrictions and that no action be taken on this restriction until the City Council meeting.

A motion to have the "PC" District hours of operation follow the Chesterfield Commons, excluding for restaurants and pharmacies was made by Councilmember Flachsbart, seconded by Councilmember Streeter, and approved by a vote of 3 to 0.

A motion to follow the Chesterfield Commons restrictions on outside displays, landscaping and truck operation was made by Councilmember Streeter, seconded by Councilmember Flachsbart, and approved by a vote of 3 to 0.

Petitioner Brett Hardesty stated that trucks need to be able to drive around the structures in the "PI" portion of the development. He stated that shared driveways between an office building and an adjacent office/warehouse building would have problems.

Mike Doster suggested that each Site Development Section Plan have curb cuts as approved by the Department of Public Works.

A motion to amend Attachment A, page 10, Item "p" to state "Access off the internal roadway(s) shall be as directed by the Director of Public Works", was made by Chair Hurt, seconded by Councilmember Flachsbart, and approved by a vote of 3 to 0.

Planning Director Teresa Price stated that the Planning Commission and the Planning Department have been having difficulty addressing the uses in the "PC" and "PI" Districts.

A motion was made by Councilmember Flachsbart to add the following to the Planning Department project list: have staff look at possibility of addressing ancillary uses in the "PC" and "PI" Districts.

The motion was seconded by Councilmember Streeter and approved by a vote of 3 to 0.

A motion to forward P.Z. 22-98, as amended, was made by Chair Hurt, seconded by Councilmember Streeter, and approved by a vote of 3 to 0.

Note: Two bills relative to this matter, one as recommended by the Planning Commission and one as recommended by the Planning & Zoning Committee, will be needed for the September 9, 1998, City Council Meeting.

SEE BILL # (recommended by the Planning Commission)

SEE BILL # (recommended by the Planning and Zoning Committee)

- IV. Wehrenberg Theatres/The Galaxy; review of Architectural Elevations and Colors. Located on the north side of Chesterfield Airport Road, west of the McBride property.**

Planning Director Teresa Price explained that the City Council exercised power of review for elevations and color of the proposed Wehrenberg Theatres and referred this matter to the Planning and Zoning Committee for resolution. She described and presented the different elevation submittals for this project.

There was general discussion of colors proposed and number of colors proposed.

The comments from the Architectural Review Board (ARB) were handed out. The ARB wanted the dryvit material color to match the brick color, and they wanted better pedestrian access in the center of the development.

A motion was made by Councilmember Flachsbart to accept the proposal as is.

The motion died for lack of a second.

Chair Hurt suggested that they do away with the green and make it blue.

Mr. Ronald Krueger, Sr., representing the development, expressed concern about the process. He inquired as to why the concern about the colors and the number of colors was not addressed by the ARB. He stated that the development has incurred significant cost because they had to get an extension to the contract. He stated that they have spent 7 months going through the process.

Nancy Rodney, Boland Architects, inquired as to the specific color being requested to replace the green of the main front canopy.

Mayor Nancy Greenwood expressed concerns re: the multiple colors on the outside and was disappointed that the ARB approved the proposal.

Councilmember Tilley stated that the ARB is a recommending body and the City Council has the final decision. She suggested that the Committee limit the number of colors. She indicated that she likes the purple, but that it doesn't belong in the middle of the building.

Councilmember Streeter stated that the ARB was appointed to address issues like this.

A motion to accept the recommendation of the ARB was made by Councilmember Streeter and seconded by Councilmember Flachsbart.

After additional discussion, the motion was approved by a vote of 3 to 0.

A motion was made by Councilmember Streeter that Wehrenberg could eliminate colors and use more of other existing colors.

The motion was seconded by Councilmember Flachsbart, and approved by a vote of 3 to 0.

Note: The Site Plan, Landscape Plan and Architectural Elevations for Wehrenberg are approved.
No further action will be required on this item.

Planning Director Teresa Price advised the Committee that staff is scheduling the public hearing on the AT&T CUP petition for the next regularly scheduled meeting on September 10, 1998, at 6:00 p.m.

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, September 10, 1998.

The meeting adjourned at 7:35 p.m.