

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: May 1, 2006

SUBJECT: Planning & Zoning Committee Meeting Summary – **April 27, 2006**

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held on Thursday, April 27, 2006 in Conference Room 101.

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

Also in attendance were Lynn O'Connor, Planning Commission Liaison; Libbey Simpson, Assistant City Administrator for Economic & Community Development; Teresa Price, Director of Planning; Annissa McCaskill-Clay, Assistant Director of Planning; Aimee Nassif, Project Planner; Mara Perry, Project Planner; and Mary Ann Madden, Planning Assistant.

Chair Brown called the meeting to order at 5:35 p.m.

I. APPROVAL OF MEETING SUMMARY

Because of the new membership of the Planning & Zoning Committee, it was agreed to accept the Meeting Summary of March 27, 2006 as presented.

Chair Brown stated that in order to accommodate the Petitioners, the agenda order would be revised as follows: III.B.; III.C.; III.D.; II.A; and then III.A.

III. NEW BUSINESS

- B. **P.Z. 14-2005 Rhodes Development (Plaza Tire)**: A request for a change of zoning from "C-8" Planned Commercial to "PC" Planned Commercial for a 1.5-acre parcel located south of Chesterfield Airport Road, west of Valley Center Drive. (Locator Number 17U14-0120)

Staff Report

Ms. Annissa McCaskill-Clay, Assistant Director of Planning, reviewed the proposed uses being requested, which include parking areas; stores and shops; vehicle repair; and vehicle service center for automobiles. The Planning Commission approved the petition on April 10, 2006 by a vote of 7-0 with one amendment to the Attachment A deleting the permitted use of "indoor sale of motor vehicles".

DISCUSSION

Issues Raised at Planning Commission

The Planning Commission had questions about the location of sidewalks and the number of curb cuts on the site. The main issue raised was the reference to uses of "vehicle repair facilities and service centers for automobiles". Staff determined that this is a consistent terming of these particular uses in the Attachment A's for similar companies along Chesterfield Airport Road.

Cross Access

Councilmember Hurt noted that cross access to the west is permitted and asked why cross access to the east was not allowed. It was noted that to the east there is an historic log cabin structure and a church. Councilmember Hurt felt that if the church would sell its property, there should be the ability to have cross access to the east.

Open Space

It was noted that the open space for the site is 30%.

View from Chesterfield Airport Road/Storage of Vehicles

Councilmember Hurt expressed concern about how the site would be viewed from Chesterfield Airport Road with respect to vehicles being brought in for repair.

Ms. McCaskill-Clay stated that the Attachment A limits the period of time to 72 hours for "the storage of wrecked or otherwise damaged and immobilized automotive vehicles" to be parked on the site.

Councilmember Hurt did not think the 72 hours would address his concerns about the view of vehicles in instances where vehicles are being brought in on a daily basis.

Mr. John King, petitioner for the project, indicated that no body work would be done on the site. The site would be used primarily for maintenance - such as tires and oil changes. He further stated that wrecked or damaged vehicles would not be stored on-site.

Councilmember Flachsbart made a motion to amend Section I.C.1.(cc) of the Attachment A with respect to “Permitted Uses” as follows: (Changes in green)

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.~~ Wrecked or otherwise damaged and immobilized automotive vehicles shall not be stored outside.

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

Parking on the Site/Screening the Site

Discussion was held on the possibility of screening the site with a berm. Chair Brown suggested that the Planning Commission be directed to give special attention to the landscaping along Chesterfield Airport Road.

Councilmember Hurt suggested shifting the building forward to allow the front parking to be moved to the back of the site. Mr. King stated that customers like to park in front of the store; it could be required that no parking be allowed out front after hours. Any overnight vehicles would be parked inside except in those cases where a customer drops off a vehicle after-hours for next day service.

Councilmember Flachsbart felt the site was too dense with 42 parking spaces, which causes a problem in providing sufficient screening. He felt that if the number of service bays was decreased, it would require less parking and a smaller building – allowing a berm for screening on the site.

It was noted that the number of parking spaces is determined by:

- The number of service bays
- The number of employees on maximum shift
- The number of company vehicles

Councilmember Flachsbart made a motion to amend Section I.F.1. of the Attachment A with respect to “Parking and Loading Requirements” as follows: (Changes in green)

Parking and loading spaces for this development will be as required in the City of Chesterfield Code. ~~There shall be no parking on the northern portion along Chesterfield Airport Road.~~

and to amend Section I.G.1. of the Attachment A with respect to “Landscape and Tree Requirements” as follows: (Changes in green)

The developer shall submit a landscape plan, tree stand delineation, and tree preservation plan in accordance with the City of Chesterfield Code. **There shall be a berm and landscaping along Chesterfield Airport Road to provide screening from the parking on the subject site.**

The motion was seconded by Councilmember Hurt.

Ms. Teresa Price, Director of Planning, noted that by moving the building forward, it could raise front yard setback issues with how the Attachment A is currently written. Councilmember Flachsbart stated that the Petitioner should advise them if he encounters any setback problems.

Mr. King questioned why parking is being prohibited in front of the building when it is allowed everywhere else in the area. Councilmember Streeter responded that his concern is that disabled vehicles would be parked out front. Councilmember Hurt noted that Dobbs’ parking was designed to have all parking behind its building on Chesterfield Parkway. Mr. King suggested prohibiting all parking in front after 7:00 p.m. Councilmember Brown suggested restricting parking in the front for retail customers only. Councilmember Flachsbart felt that Mr. King’s and Councilmember Brown’s suggestions would be too difficult to enforce.

The motion to amend Sections I.F and I.G of the Attachment A passed by a voice vote of 3 to 1. (Councilmember Brown voted “no”).

Councilmember Streeter made a motion to forward P.Z. 14-2005 Rhodes Development (Plaza Tire), with its Green Sheet amendments, to City Council with a recommendation to approve. The motion was seconded by Councilmember Flachsbart and **passed by a voice vote of 4 to 0.**

Councilmember Hurt made a motion to reconsider P.Z. 14-2005 Rhodes Development (Plaza Tire). The motion was seconded by Councilmember Flachsbart and **passed by a voice vote of 4 to 0.**

Councilmember Hurt made a motion to amend Section I.K.3. of the Attachment A regarding “Access/Access Management” as follows: (Changes in green)

Provide cross access easement(s) or other appropriate legal instrument(s) guaranteeing permanent access to the adjacent properties to the **east and west** as directed.

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

Councilmember Hurt made a motion to forward **P.Z. 14-2005 Rhodes Development (Plaza Tire)**, with its Green Sheet amendments, to City Council with a recommendation to approve. The motion was seconded by Councilmember Flachsbart and **passed** by a voice vote of 4 to 0.

**Note: One bill, as recommended by the Planning Commission, will be needed for the May 15, 2006 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Director of Planning, Teresa Price, for additional information on P.Z. 14-2005 Rhodes Development (Plaza Tire).]

- C. **P.Z. 33-2005 THF Chesterfield Development (North Interstate Development-CVPBAll LLC)**: A request for rezoning from “NU” Non-Urban to “PC” Planned Commercial district for a 6.6 acre parcel located north of State Highway 40/61 and east of Boone’s Crossing. (17U620116 & 17U620138)

Staff Report

Ms. McCaskill-Clay reported that the petition was approved by the Planning Commission on April 10, 2006 with one amendment to the Attachment A reducing the open space requirement from 50% to 40%. Additional language was provided by the City Attorney noting that the open space calculation includes the permanent easement provided by the Levee District and that the open space reduction was granted because of the right-of-way property adjacent to the site, which if included in the open space, would bring the amount of open space up to 54.5%.

DISCUSSION

Open Space

It was indicated that if 50% open space was required, the site could not be developed as presented. In addition, this site mirrors the Professional Building property on the west, which was approved with 40% open space. Mr. Doster pointed out that none of the developments along Highway 40 in the Valley have a 50% open space requirement.

Parking

It was noted that there is no excess parking on the site. Parcel A has 280 parking spaces and Parcel B has 88 parking spaces.

Landscaping

Councilmember Streeter expressed concern with the amount of asphalt visible on the site. The developer stated that the site is being landscaped with trees and planters – trees will be planted close to the ramp.

Councilmember Hurt suggested a water feature be included on the site for visual interest.

Councilmember Brown suggested additional trees be planted in the parking area in front of the two buildings.

Councilmember Hurt requested continuous landscaping along the border. The developer agreed that additional trees could be inserted in the gaps of the proposed landscaping. Their goal is to mirror the landscaping of the south side.

Ms. McCaskill-Clay noted the following landscaping requirements:

- All parking spaces have to be no further than 50 feet from a tree.
- Vehicular area shall have a minimum 15-foot landscaped setback from existing or proposed right-of-way.
- Parking islands are not required to have a tree in instances where the adjacent parking spaces are within 50 feet of a tree in other areas of the development.
- Trees planted in parking islands at no time shall block the sight distance triangle.
- There are additional requirements on how the islands have to be landscaped – depending on their size and location.

Discussion was held on whether the trees would survive the salt that is distributed during the winter months. Ms. McCaskill-Clay stated that the developer is required to submit a Landscape Installation Bond for two years; then a Landscape Maintenance Bond is required for another two years.

For the next City Council meeting, Councilmember Hurt requested from the Petitioner a sight-line drawing built from both the highway and the ramp.

Councilmember Streeter made a motion to forward P.Z. 33-2005 THE Chesterfield Development (North Interstate Development-CVPBAILL LLC) to City Council with a recommendation to approve. The motion was seconded by Chair Brown and **passed** by a voice vote of 3 to 1. (Councilmember Flachsbart voted “no”.)

**Note: One bill, as recommended by the Planning Commission, will be needed for the May 15, 2006 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Director of Planning, Teresa Price, for additional information on P.Z. 33-2005 THF Chesterfield Development (North Interstate Development-CVPBAIII LLC)

- D. **St. Luke's Hospital:** Site Development Concept Plan for two parcels totaling 77.3 acres of land zoned "MU" Medical Use District located on the northwest corner (Parcel B) and the southeast corner (Parcel A) of Highway 141 (Woods Mill) at the intersection with St. Luke's Drive.

Staff Report

Project Planner Mara Perry stated that the Site Development Concept Plan is being presented because of the Committee's Automatic Power of Review. The Planning Commission approved the project on April 10, 2006 by a vote of 6 to 1. The proposed improvements to Parcel A include:

- Two-story patient tower expansion
- Two-story diagnostic addition
- Skywalk connecting the proposed tower and existing building
- One-story power plant
- CV/ICU addition
- Two additional stories of parking on an existing parking structure
- Replacing an existing parking structure with a new parking structure with the same height and same number of parking spaces of the existing garage
- Changes to the loop road configuration
- Additional surface parking

None of the proposed improvements have changed the existing setbacks or green space. None of the proposed buildings are going over the existing height of the hospital.

The presented plan is a twenty-year project. The CV/ICU addition will be presented to the Committee in the next couple of weeks.

There have been no complaints from residents of Town and Country.

The proposed improvements to Parcel B include:

- Two medical office buildings
- Two parking garages

The first phase of construction will include surface parking and the rear medical building.

All of the plans are identical to the Concept Plan previously presented.

Councilmember Flachsbart made a motion to forward the Site Development Concept Plan for St. Luke's Hospital to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4 to 0.**

Note: This is a Site Development Concept Plan, which requires approval by City Council. A voice vote will be needed at the May 15th City Council Meeting.

[Please see the attached report, prepared by Director of Planning, Teresa Price, for additional information on St. Luke's Hospital.]

II. OLD BUSINESS

- A. P.Z. 19-2005 City of Chesterfield (Various Sections of Zoning Ordinance):** An ordinance amending various sections of the City of Chesterfield Zoning Ordinance regarding banners in the Museum and Arts Area, development criteria for E-districts, residential tear-downs and residential additions.

Staff Report

Project Planner Aimee Nassif stated that there have been concerns about buffering and setbacks. As a result, the language has been reviewed and amended.

Currently the "Development Standards" require:

- A 30 ft. minimum dedicated landscape buffer along collector and arterial roadways; and
- A 50 ft. structure setback from the dedicated landscape buffer along arterial and collector roadways for a total setback of 80 ft.

Staff recommends removing the 30 ft setback requirement for the minimum landscape buffer and replacing it with language requiring adherence to the Tree Manual. The Tree Manual already requires E-Districts to have 30 ft. buffers but it also allows for flexibility for the design of buffers and allows for variances under certain circumstances where good planning can be shown.

DISCUSSION

Landscape Buffer for E-District Lots

Chair Brown advised of a situation in the bowtie area where, because of the narrowness of the property, single-family homes would not be able to be constructed in the E-One District with the current buffer requirements. She felt that some flexibility should be allowed because there isn't enough room for an 80 ft. setback on narrow properties. She didn't feel a buffer should be required for one house on a one-acre site.

Councilmember Flachsbart stated that the E-Districts were intended for larger parcels. If a developer wanted to cluster the homes, a buffer would be required surrounding the entire site. He felt that both the 30 ft landscape buffer and the 50 ft. structure setback should be kept.

Ms. Nassif stated that the Standards would still require a 30 ft. buffer but would allow for review of a variance under certain circumstances where it can be shown that the proposed buffer encourages a creative design solution to the issue of buffering adjacent land uses.

Councilmember Hurt felt that if variances are to be allowed, the criteria should be specifically spelled out – such as allowing a variance for the protection of wetlands. He feels that the current language is too subjective.

Councilmember Flachsbart suggested that upon specific application to the City Council and approved by the City Council, the Tree Manual may be applied in lieu of the buffering as stated in the Development Standards for E-Districts. He felt the request for a variance to City Council should be done before presentation to the Planning Commission.

Discussion was held on whether a house should be allowed on a lot that does not have enough depth to meet an 80 ft. setback. Several of the Committee members felt that if the lot is not wide enough, a house should not be permitted. Councilmember Hurt suggested obtaining the required setback by modifying the back yard setback. It was pointed out that in some cases, the topography will not allow it. Chair Brown felt that a single home should be allowed a variance on the front setback if the lot is too narrow for the required 80 ft. setback. Councilmember Flachsbart felt there could be very restricted circumstances where a single house on a narrow one-acre lot could possibly be allowed by reducing the front or rear yard setback down to 50 or 60 feet when there is no lot in the same subdivision immediately behind it provided it is approved by City Council.

Ms. Nassif suggested that “Exceptions” be included for modifying the standard regarding landscape buffers when the following conditions have been met:

- a. The petitioner has demonstrated that said modification will encourage, promote, and reward good architecture and urban planning; and
- b. The petitioner has demonstrated the existence of a practical difficulty, such as the topography of the site, and that the request is not based on mere convenience; and
- c. The petitioner must get a recommendation from Planning Commission and a majority vote from City Council.

Several of the Committee members felt the above language is still too subjective – it was felt that if there was a federal or state regulation that was in conflict with the standard, a variance could be considered.

For clarification purposes, Staff suggested the following change to Table 3 of the Development Standards: (Changes shown in green)

Structure setback from ~~the dedicated landscape buffer along~~ arterial and collector roadways – ~~50 ft.~~ 80 ft.

Councilmember Streeter made a motion to accept the above change to Table 3. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 3 to 1.** (Chair Brown voted “no”.)

Public Parks

Chair Brown noted that the current language does not allow for a park less than ten acres in size in an E-District. The Committee members felt that parks need not be a specified size.

Councilmember Streeter made a motion to remove Section 6.B. from Section 1003.107 of the Zoning Ordinance relating to the size of public parks. The motion was seconded by Councilmember Flachsbart and **passed by a voice vote of 4 to 0.**

Permitted Uses

Discussion was held on specific permitted uses for the E-Districts. It was noted that, per the City Attorney, uses such as “public utility facilities”, “sewage facilities”, and “radio, television, and communication transmitting towers” must be allowed.

Step-Down Lot Sizes

Ms. Nassif stated that the current language allows a developer to step down the average lot size but requires him to still meet the density standard. This has not been workable for developers meeting the required density so the whole section has been replaced with the following table and language:

- B. Lot size and density requirements for single family residential developments are listed in Table 2. The maximum density of units per development shall be dependent upon the type of “E” District utilized.

TABLE 2: LOT SIZE AND DENSITY FOR SINGLE FAMILY RESIDENTIAL DEVELOPMENT			
District	Minimum Lot Size	Density	Density Example
E-Two Acre	1 acre	2 acres per home	A 10 acre development can have max. 5 homes on site.
E-One Acre	22,000 sq. ft	1 acre per home	A 10 acre development can have max. 10 homes on site.
E-Half Acre	15,000 sq. ft	½ acre per home	A 10 acre development can have max. 20 homes on site.

C. Calculating lot size.

- (1.) Private streets shall not be counted towards the minimum lot size.
- (2.) In E-Two Acre and E-One Acre Districts, all buffers shall not be counted towards the minimum lot size.

D. Exceptions.

- (1.) The standard regarding the lot size calculation in Section C above may be modified when the following is met:
 - (a.) The petitioner has demonstrated that said modification will encourage, promote, and reward good architecture and urban planning.
 - (b.) The petitioner has demonstrated the existence of a practical difficulty such as the topography of the site and the request is not based on mere convenience or to maximize density.
 - (c.) Notwithstanding the recommendation of the Planning Commission, if it may be demonstrated that a modification will encourage, promote, and reward good architectural and urban planning by a majority vote of City Council, the Council may modify the standards contained in this section.

Councilmember Streeter made a motion to forward P.Z. 19-2005 City of Chesterfield (Various Sections of Zoning Ordinance), with its Green Sheet Amendments, to City Council with a recommendation to approve. The motion was seconded by Councilmember Hurt.

Chair Brown made a motion to amend the Attachment A by adding “Exceptions” to the buffer requirements. The motion died due to the lack of a second.

The motion to forward the petition to Council passed by a voice vote of 3 to 0. (Councilmember Flachsbart was not available for the vote.)

**Note: One bill, as recommended by the Planning Commission, will be needed for the May 15, 2006 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Director of Planning, Teresa Price, for additional information on P.Z. 19-2005 City of Chesterfield (Various Sections of Zoning Ordinance).]

III. NEW BUSINESS

A. Selection of Officers and Committee Assignments

The following Officers and Committee Assignments were agreed upon:

- Planning Commission Liaison – Mary Brown
- Vice Chair of Planning & Zoning Committee – Barry Streeter
- Landmark Preservation Commission – Barry Streeter
- Valley Master Plan Committee – Dan Hurt
- Board of Adjustment – Barry Flachsbart

IV. PENDING PROJECTS/DEPARTMENTAL UPDATE

A. Planning Process Part 1

It was agreed that the Director of Planning would make the presentation on the Planning Process at the next meeting.

V. ADJOURNMENT

The meeting adjourned at 7:20 p.m.