

I.A. MEMORANDUM



TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Planning & Public Works

SUBJECT: Planning & Public Works Committee Meeting Summary
April 23, 2009

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, April 23, 2009 in Conference Room 101.

In attendance were: **Chair Connie Fults** (Ward IV); **Councilmember Lee Erickson** (Ward II); and **Councilmember Mike Casey** (Ward III).

Also in attendance were: Councilmember Matt Segal (Ward I); Councilmember Bruce Geiger (Ward II); Councilmember Randy Logan (Ward III); Maurice L. Hirsch, Jr. Planning Commission Chair; David Banks, Planning Commission Liaison; Michael Herring, City Administrator; City Attorney Representative, Harry O'Rourke; Aimee Nassif, Planning & Development Services Director; Mara Perry, Senior Planner; Justin Wyse, Project Planner; and Kristine Kelley, Administrative Assistant.

The meeting was called to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the February 19, 2009 Committee Meeting Summary.

Councilmember Erickson made a motion to approve the Meeting Summary of February 19, 2009. The motion was seconded by Councilmember Casey and **passed** by a voice vote of 3 to 0.

II. OLD BUSINESS - None

III. NEW BUSINESS

A. **Nomination of the Leonard Blake Ancient History Award** – HEC-TV

Mark Leach of the Landmarks Preservation Committee clarified that the nomination before the Committee is for Higher Educational Consortium – TV (HEC-TV) not one specific individual.

This is the fourth year for the award which recognizes individuals or organizations that further our understanding of Chesterfield's ancient history. The first three nominees were individuals and this year is an organization.

Over the past several years, HEC-TV has produced and aired four television programs featuring archeology discoveries within the City of Chesterfield. The program is featured on cable television and is a consortium of 11 colleges and universities with 62 cooperating school districts. The program is primarily for educators, but is also enjoyed by regular citizens.

There continues to be archeological work going on in Chesterfield with major excavation of a Cahokia mounds type village that was discovered during the levee improvements. Everyone is invited to attend the open house during the last day of excavation.

DISCUSSION

Councilmember Casey thanked Mr. Leach for all his hard work with the award process. It was recommended that at the next City Council meeting prior history award winners be acknowledged.

Councilmember Casey made a motion to forward **Nomination of the Leonard Blake Ancient History Award - HEC-TV** to City Council with a recommendation to approve. The motion was seconded by **Councilmember Erickson** and **passed** by a voice vote of 3 to 0.

[Please see the attached report prepared by Aimee Nassif, Planning & Development Services Director, for additional information on Nomination of the Leonard Blake Ancient History Award - HEC-TV].

- B. **Power of Review being exercised for the following project: Equilon Shell (15530 Olive Boulevard):** Amended Architectural Elevations for a 0.78 acre tract of land zoned "C8" Planned Commercial District and located at 15530 Olive Boulevard, at the intersection with Chesterfield Parkway.

STAFF REPORT

Mara Perry, Senior Planner, stated that the project is before the Committee due to a request for Power of Review. Ms. Perry stated the following;

The subject site is an existing gas station and convenience store.

- The Petitioner is requesting an amendment to the architectural elevations and is also requesting LED lighting. Under the City's Lighting Ordinance, the Petitioner is allowed to come before the City of Chesterfield to request LED accent lighting on Architectural Elevations.

Architectural Elevations:

- The first request is an amendment to the architectural elevations for the building. The fascia of the elevation is currently white and yellow with signage on the yellow band. The proposed change is to have red and white strips along the fascia with a sign location which would be approved by Staff with a sign permit. The existing convenience store is white painted block with a band of grey paint. The lower portion of the front elevation would be painted with a red and brown paint and the upper portion of the fascia will remain the white painted block color.
- The lower portion of the Car Wash elevations, which is currently painted white, is also proposed to match the convenience store with bands of red and brown paint with the upper portion of the façade remaining the white painted block color. Signage on the Car Wash elevations will be approved by Staff with sign permits.

LED Lighting:

- The second request is due to the Petitioner's proposal for LED lighting on the façade of the convenience store. The LED accent lighting will run along the edges of the red bands proposed on the fascia of the building as well as around the face of the proposed signage. The LED lighting is located behind the bands and signage and is not exposed.

- C. New Spirit Energy Convenience Store (14804 Clayton Road):** Second Amended Architectural Elevations for a 0.92 acre tract of land zoned "PC" Planned Commercial District and located at 14804 Clayton Road, south of Clayton Road and west of Wildwood Parkway.

Mara Perry, Senior Planner, stated the following:

The subject site is also an existing gas station and convenience store.

- The Petitioner is requesting a second amendment to the architectural elevations and is also requesting LED lighting. Under the City's Lighting Ordinance, the Petitioner is allowed to come before the City of Chesterfield to request LED accent lighting on Architectural Elevations.

Architectural Elevations:

- The first request is an amendment to the architectural elevations for the building. The proposed change is to have red and white stripes along the fascia with sign location which would be approved by Staff with a sign permit. The existing convenience store is white painted block. The lower portion of the front elevation would be painted with a red and brown paint with the upper portion of the façade remaining the white painted block color.
- The lower portion of the Car Wash elevations, which is currently painted white, is also proposed to match the convenience store with bands of red and brown paint with the upper portion of the façade remaining the white painted block color. Signage on the Car Wash elevations will be approved by Staff with sign permits.

LED Lighting:

- The second request is also due to the Petitioner's proposal for LED lighting on the façade of the convenience store. The LED accent lighting will be along the edges of the red bands proposed on the fascia of the building as well as around the face of the proposed signage. The LED lighting is located behind the bands and signage and is not exposed.

Three examples of photographs were presented to the Committee;

- The first photograph shows one existing location in the area, which include the bands on the fascia with signage.
- The second photograph does not indicate what they are proposing in our area but shows one location in New Mexico, which is their sign but did not use the LED lighting system and shows light pollution coming from the sign and not from the LED accent bands.
- The third photograph shows light reflecting off a car which is causing some light pollution and light trespass. The LED bands in the photograph do not create any reflection.

Both items went before Planning Commission, which were approved by a vote of 6 – 2 with a recommendation that the LED lighting did not flash, move or change. It had to remain a solid steady light.

DISCUSSION

Planning Commission Chair Hirsch stated that the Commissioners who voted in opposition to the changes felt that the LED lighting was too bright.

It was noted that LED is the “wave of the future” and it is more cost effective, lasts longer, more environmentally friendly and not as bright as neon lighting. Most of the monument signs being submitted are being lit using LED lighting.

Banding

There are different banding sizes based on the existing fascia, so in this case the banding on Olive Boulevard will be slightly larger than the banding on Clayton Road. The location on Clayton Road was previously reviewed by the Architectural Review Board and they approved the existing fascia width and colors.

Councilmember Erickson made a motion to forward **New Spirit Energy Convenience Store (14804 Clayton Road)** and **Equilon Shell (15530 Olive Boulevard)** to City Council with a recommendation to approve. The motion was seconded by **Councilmember Casey** and **passed** by a voice vote of **3 to 0**.

Note: These are Amended Architectural Elevations which require approval by City Council. A voice vote will be needed at the May 4, 2009 City Council Meeting.

[Please see the attached reports prepared by Aimee Nassif, Planning & Development Services Director, for additional information on New Spirit Energy Convenience Store (14804 Clayton Road) and Equilon Shell (15530 Olive Boulevard)].

D. St. Luke's Hospital: A Partial Amended Site Development Concept Plan, Tree Stand Delineation Plan, Tree Preservation Plan and Conceptual Landscape Plan for a 35.807 acre lot of land zoned "MU" Medical Use District located at the northwest corner of Highway 141 (Woods Mill) at the intersection with St. Luke's Drive.

and

E. St. Luke's Hospital, Northwest: An Amended Site Development Section Plan, Tree Stand Delineation Plan, Tree Preservation Plan and Landscape Plan for a 35.807 acre lot of land zoned "MU" Medical Use District located at the northwest corner of Highway 141 (Woods Mill) at the intersection with St. Luke's Drive.

STAFF REPORT

Mara Perry, Senior Planner, gave background information on the project noting that Parcel B and the main campus were both under the same governing ordinance. The Petitioner then zoned Parcel D under a separate ordinance. However, the ordinance for Parcel D did not allow for the ability to go over the property line thereby preventing access between the two parcels. On November 17, 2008 an Ordinance Amendment was approved for Parcel D and City Council approved a Boundary Adjustment Plat on December 1, 2008, which removed all the parcel lines between Parcels B and D. The area is now named St. Luke's Hospital Northwest.

It was noted that the outpatient services building has been constructed and existing surface lots will eventually become parking garages – the remaining structures shown on the Concept Plan are future projects under St. Luke's twenty-year plan.

As part of St. Luke's overall phasing of the development, the Petitioner is requesting to build a surface parking lot and one of the roadway connections. In order for the Outpatient Services Building to be able to be fully occupied, they must have more parking.

The required landscape buffer along Highway 141 has been constructed on Parcel B and will be continued as it moves up along Parcel D. In order to meet the Tree Manual requirements – and in order not to have to plant trees and then remove them for future

buildings – the Petitioner has moved some of the plantings from within the parking lot and buffered more in other areas.

The Planning Commission approved both items on March 23, 2009 by a vote of 8 to 0.

PLANNING COMMISSION REPORT

Planning Commission Chair Hirsch stated that the Commission saw this project as a “natural movement of what the Commission and Council had already approved” and is a coordinated way for the hospital to move forward.

DISCUSSION

In addition to the main entrance, it was noted that there will only be one additional curb cut and that the utilities on the site are buried.

Ms. Perry explained how the 141 project will affect the north parcel of the site noting that the outer road will parallel 141 as it then goes underneath Ladue Road. Planning Commission Chair Hirsch added that the Commission’s Comprehensive Plan Committee recently received an update from MoDOT on the 141 project. Ms. Nassif stated that she has copies of the new maps from MoDOT and will provide copies to City Council.

Councilmember Casey made a motion to forward St. Luke’s Hospital and St. Luke’s Hospital, Northwest to City Council with a recommendation to approve. The motion was seconded by Councilmember Erickson and **passed by a voice vote of 3 to 0.**

Note: This is a Partial Amended Site Development Concept Plan and Amended Site Development Section Plan which require approval by City Council. A voice vote will be needed at the May 4, 2009 City Council Meeting.

[Please see the attached reports prepared by Aimee Nassif, Planning & Development Services Director, for additional information on St. Luke’s Hospital and St. Luke’s Hospital, Northwest].

- F. P.Z. 17-2007 City of Chesterfield (Industrial and Commercial Districts and Uses):** An ordinance repealing Section 1003.140 “PC” Planned Commercial District and Section 1003.150 “PI” Planned Industrial District of the City of Chesterfield Zoning Ordinance and creating new Section 1003.140 “PC” Planned Commercial District and Section 1003.150 “PI” Planned Industrial District. Additionally, the ordinance creates Section 1003.146 “NB” Neighborhood Business District, Section 1003.147 “UC” Urban Core District, and Section 1003.152 “LI” Light Industrial District within the City of Chesterfield.

STAFF REPORT

Justin Wyse, Project Planner, stated that at the June 12, 2007 Planning & Zoning Committee meeting, Staff was directed to review the Commercial and Industrial Districts. Specifically, it was asked that the inconsistencies with the Development Standards between the two Districts be reviewed; that the list of use terms be reviewed; and that consideration for light industrial uses in Planned Commercial Districts in the Valley be reviewed. The Ordinance Review Committee met several times to discuss these matters and in February, 2009 a public hearing was held on the proposed changes. On April 13, 2009 the Planning Commission approved the changes by a vote of 8-0.

An overview of the proposal includes:

- Modifications to the Development Standards within the Planned Commercial District;
- Development Standards were added into the Planned Industrial District to remove any incentives that Developers may have in choosing one district over another;
- Two new planned districts are proposed;
- One straight zoning district has been proposed;
- The format for each of the planned districts has been revised to mirror the Unified Development Code;
- Uses have been updated, added and removed within the districts and more specifics have been added to some of the general terms;
- A list of definitions has been created, which will be included as an attachment and will ultimately be included in the Unified Development Code as an exhibit.

Mr. Wyse then presented a comparison among the Commercial Districts – the proposed Urban Core District, the Planned Commercial District and the Neighborhood Business District, which include:

- The “fragmented standards” for open space and parking requirements for the Planned Commercial District have been removed.
- A lot more uses have been added – now totaling 115.
- A provision has been added for districts that are zoned Planned Commercial wherein the petitioner may request six light industrial uses.
- The Urban Core District has been provided, which has slightly less restrictive standards than the Planned Commercial District and provides more flexibility than the Planned Commercial District.
- The Neighborhood Business District was created to address the concern of commercial developments immediately adjacent to residential areas. This district has more restrictions; specifically open space is increased, the number of uses is reduced, drive-thrus are not permitted, and buildings cannot exceed 10,000 sq. ft.

The Industrial Districts include the Planned Industrial District and the Light Industrial District:

- The Planned Industrial District mirrors the Planned Commercial District with the exception of some of the uses. The uses have been more specifically defined and now include 121 uses.
- The Light Industrial District is a straight zoning district, which is different than the other four districts. It has very strict standards with 29 permitted uses. This is an attempt to allow some low-intensity industrial development to occur and to speed up the process for this type of development.

PLANNING COMMISSION REPORT

Planning Commission Chair Hirsch complimented Mr. Wyse and Ms. Nassif for the “monumental work” and their leadership on this project.

It was noted that the Planning Commission passed two amendments to this petition:

- Several uses were eliminated from the Light Industrial District; and
- The “*Telecommunications tower or facility*” was moved from a permitted use to a conditional use.

ORDINANCE REVIEW COMMITTEE REPORT

As Chair of the Ordinance Review Committee, **Commissioner Banks** stated that a lot of time was spent by the Committee reviewing the uses for the various districts. He noted that most of the Commissioners attended these Committee meetings because of the interest generated by this project. He also commended Staff for their excellent work on this issue.

DISCUSSION

Parking

It was noted that a development must be able to provide the required parking for any requested use. **Ms. Aimee Nassif**, Planning & Development Services Director, added that Staff is reviewing every Municipal Zoning Application and Occupancy Permit with respect to parking numbers. The Unified Development Code will also have an updated chapter on “Parking”.

Planning Commission Chair Hirsch stated that Staff is also reviewing the issue of “shared parking” to address the concern of parking reduction requests.

Uses

Chair Fults expressed her appreciation for the list of definitions of uses and the fact that they are now all listed as single uses.

Ms. Nassif noted that the list of uses for the Planned Commercial District has been updated. The uses are now more specific and include a definition.

Noting the increased number of uses, **Councilmember Geiger** expressed concern about Petitioners possibly requesting a lot more uses and asked how this would be addressed. **Planning Commission Chair Hirsch** stated that since the uses now have specific definitions and are listed separately, he feels that the Commission and Council

will have less of a problem determining which uses are appropriate for a specific piece of property.

Chair Fults expressed concern that the chart summarizing the standards for the commercial districts does not exclude “adult uses” from the PC and NB Districts. Staff clarified that the ordinances for these two districts do not permit “adult uses”.

Planned Industrial District

Councilmember Erickson asked how the nomenclature for “Planned Industrial District” will differentiate between the old and new Planned Industrial District. **Ms. Nassif** replied that if a development has an approved ordinance prior to the new District being enacted, the development will remain under the criteria of the older ordinance. The new standards will not automatically be placed upon Districts that already have a site specific governing ordinance.

Mr. Wyse noted that the legislation that will be forwarded to Council will clearly state that it is not the intent or the purpose of the revisions to, in any way, change or affect previously-approved developments.

Councilmember Geiger suggested having the new “PI” district labeled differently from the old “PI” District for clarification purposes. After discussion, it was felt that this is not necessary.

It was also noted that, if deemed appropriate, the Planning Commission and/or City Council can recommend a Light Industrial zoning for a request that comes in as Planned Industrial.

Councilmember Casey made a motion to forward P.Z. 17-2007 City of Chesterfield (Industrial and Commercial Districts and Uses) to City Council with a recommendation to approve. The motion was seconded by **Councilmember Erickson**.

Councilmember Casey then amended his motion to amend Section 1003.146 Neighborhood Business (NB) District, Section 7.B regarding “Permitted Uses” to add the following use:

(46) Local public utility facility – over 60 feet in height

And to amend Section 1003.152 Light Industrial (LI) District, Section 3.A. regarding “Permitted Uses” to add the following uses:

(19) Local public utility facility – over 60 feet in height

(20) Police, fire, and postal stations

(21) Public buildings owned or leased by the City of Chesterfield

Councilmember Erickson accepted the amendment to the motion.

Discussion on the Motion

Recycling

Discussion was held regarding recycling opportunities and the requirements relative to trash enclosures. Ms. Nassif stated if the recycling area is enclosed like a trash enclosure, residents may not be aware of the recycling opportunities. She added that the recycling area must be indicated on the Site Development Plan and noted that the new ARB policies recommend that the recycling area be screened as much as possible.

The motion, as amended, **passed** by a voice vote of 3 to 0.

Note: One bill, as recommended by the Planning Commission, will be needed for the May 4, 2009 City Council Meeting. See Bill #

[Please see the attached report prepared by Aimee Nassif, Planning & Development Services Director, for additional information on P.Z. 17-2007 City of Chesterfield (Industrial and Commercial Districts and Uses)].

G. Selection of Officers and Committee Assignments

The following Officers and Committee Assignments were agreed upon:

- Chair of Planning & Public Works Committee/Planning Commission Liaison – **Connie Fults**
- Vice Chair of Planning & Public Works Committee – **Lee Erickson**
- Landmarks Preservation Commission – **Mike Casey**
- Board of Adjustment – **to be determined at a later date.**

SCHEDULE

The Committee agreed that the **May 7, 2009 and May 21, 2009** meetings begin at 7:00 pm.

IV. ADJOURNMENT

The meeting adjourned at 6:52 p.m.