

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Justin Wyse, Director of Planning *JW*

SUBJECT: Planning & Public Works Committee Meeting Summary
Monday, July 12, 2021



A special meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Monday, July 12, 2021 in Conference Room 102/103.

In attendance were: **Chair Mary Monachella** (Ward I), **Councilmember Mary Ann Mastorakos** (Ward II), and **Councilmember Dan Hurt** (Ward III).

Also in attendance were: Planning Commission Chair Merrell Hansen; Justin Wyse, Director of Planning; and Kathy Juergens, Recording Secretary.

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

I. UNFINISHED BUSINESS

- A. POWER OF REVIEW - 18122 Chesterfield Airport Rd. (Scott Properties) SDP:** A Site Development Plan, Landscape Plan, Lighting Plan, Tree Stand Delineation, Tree Preservation Plan, Architectural Elevations and Architect's Statement of Design for a 12.04-acre tract of land zoned "M-3" - Planned Industrial District located at the southeast corner of the intersection of Chesterfield Airport Road and Spirit of Saint Louis Boulevard (17V420157). (Ward 4)

Summary

The petition is in an "M-3" Planned Industrial District that is still governed by a 1998 ordinance (Ordinance 1430) that was originally a St. Louis County Ordinance. That Ordinance permits a 10 acre commercial shopping area. The Ordinance also states that "the commercial shopping area shall be geographical oriented to the principal uses permitted on the tract and shall contain only those incidental retail establishments necessary for the welfare and protection of the persons and property on said tract and those which are clearly an accessory to the normal operation of the permitted uses on said tract."

This project had been delayed until the Planning Commission could review Ordinance 1430 to determine whether the proposed development was in compliance with the Comprehensive Plan. After a thorough review by the Planning Commission, they determined that Ordinance 1430 was noncompliant with the new Comprehensive Plan as retail is not permitted in this zoning district.

Ordinance 1430 was then discussed at the May 6, 2021 Planning & Public Works Committee Meeting. After considerable discussion, the Committee directed Staff to work with the Planning Commission to review and modify zoning within Chesterfield Valley to begin aligning the regulations of the Unified Development Code with the Comprehensive Plan.

On May 20, 2021, Planning and Public Works Committee voted to postpone reviewing the project until this special meeting to discuss the project further. The applicant has since submitted a letter proposing to modify the plan by:

1. Restricting the proposed retail use to the first floor only; and
2. Converting the vehicular access from Chesterfield Airport Road to a right-in/right-out configuration.

Chair Monachella stated that the Committee must now decide how to proceed and provided the following options:

1. The request can be denied since this does not meet the Comprehensive Plan directive of no retail, or
2. Review Ordinance 1430 to see if the proposed retail meets the requirements of commercial shopping as depicted in the Ordinance.

DISCUSSION

There was some discussion on the Planning Commission's review and approval of the Site Development Plan. Discussion also focused on how much authority the Comprehensive Plan has over governing ordinances and whether the Planning Commission has the ability to make that determination as it is not a legislative body. Justin Wyse, Director of Planning, pointed out that the Comprehensive Plan provides the public policy nexus to create ordinances. The City has updated the policy document but there is a lag in the controlling ordinances which Staff is currently addressing.

Chair Monachella expressed her concern that the proposed square footage of retail may not be necessary as the area is basically industrial and the retail would be geared specifically to people working in the area. She would like to restrict the square footage to encourage smaller establishments as the commercial is not intended to be a strip center but a service center for the industrial complex.

There was further discussion on the permitted uses within Ordinance 1430 and Councilmember Hurt listed the uses that he felt would not be appropriate for the proposed complex. Councilmember Hurt stated that he would also like to see an acceleration lane included to complement the deceleration lane.

Councilmember Mastorakos stated that the City must follow the Comprehensive Plan as that is what the residents dictated. It is the City's guiding force and it should be reviewed regularly to be sure it is accurate and updated as Chesterfield continues to develop.

Councilmember Mastorakos made a motion to forward the Site Development Plan for 18122 Chesterfield Airport Rd. (Scott Properties), as presented, to City Council with the following conditions stipulations.

1. The access off Chesterfield Airport Road be a right-in/right-out only with the inclusion of an acceleration lane to complement the deceleration lane for the right-in/right-out movement.
2. The uses of composting, nightclub, lighted golf driving range, golf course, hotel, lighted soccer park, sewage treatment facility, railroad switching yard, filling station as well as any drive-thru facilities be prohibited within the development.

3. Retail uses within Building #4 shall be limited to no more than 12,000 sq. ft.

The motion was seconded by Councilmember Hurt and **passed by a voice vote of 3-0.**

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on 18122 Chesterfield Airport Rd. (Scott Properties) SDP.]

II. ADJOURNMENT

The meeting adjourned at 6:15 p.m.