

## MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: January 10, 2005

SUBJECT: Planning & Zoning Committee Meeting Summary – **January 6, 2005**

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, January 6, 2005 in Conference Room 101.

In attendance were: **Chair Bruce Geiger** (Ward II); **Councilmember Jane Durrell** (Ward I); **Councilmember Connie Fults** (Ward IV) and **Councilmember Dan Hurt** (Ward III). Also in attendance were Planning Commission Chair Victoria Sherman; Councilmember Mike Casey (Ward III); Director of Planning Teresa Price; Senior Planner Anissa McCaskill-Clay; Project Planner Aimee Nassif; and Mary Ann Madden, Planning Assistant.

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

### I. APPROVAL OF MEETING SUMMARY

Councilmember Fults made a motion to approve the Meeting Summary of November 18, 2004. The motion was seconded by Councilmember Durrell.

Chair Geiger proposed the following changes to page 5 of the Meeting Summary with respect to the discussion on P.Z. 02-2004 Summit Development (Valley Gates Buildings):

*Planning Commission did allow for reduction ~~up~~ to 40%. ~~If the 40% was not met, Planning Commission required hardscape features and a reflecting pool.~~ In lieu of reduction to 40% open space, Planning Commission required hardscape features and reflecting pool at the entrance to the site.*

The motion to approve the Meeting Summary, as amended above, **passed by a voice vote of 4 to 0.**

## II. OLD BUSINSS

- A. **P.Z. 02-2004 Summit Development (Valley Gates Buildings)**: A request for a change in zoning from an “NU” Non-Urban District to “PC” Planned Commercial District for an approximately 7.698-acre tract of land located on North Outer Forty Road east of Boone’s Crossing. The petitioner proposes two mixed commercial buildings.

Senior Planner Annessa McCaskill-Clay gave a presentation on Summit Development. She addressed the four issues that arose during the November 18, 2004 meeting of the Planning & Zoning Committee:

1. **If the square footage were to be re-instated to 90,000, would the open space of 40% be achievable with the limitation of two, two-story buildings?**

*Staff Response to Issue #1: - This is not achievable with the limitation of two, two-story buildings.*

2. **Positioning of the building in the front – should it be moved to the west?**

*Staff Response to Issue #2: - Building No. 1, which is placed in the front, cannot be moved to the west, as it is currently oriented, and maintain the structure setbacks written in the Attachment A. If the building was moved, the setbacks would have to be changed. If the building was shifted to a side-by-side position with Building No. 2, the setbacks in Attachment A would be met. The result would be the side of the building facing the highway.*

General discussion was held regarding the setback requirements. It was determined that the current setback requirement in the Attachment A is 90 ft. from the western boundary. If the building was moved, the setback would have to change to approximately 70 ft.

3. **Relocating the access as close to the eastern boundary as possible.**

*Staff Response to Issue #3 – Staff has conferred with the Department of Public Works. The parcel to the east is 54.97 acres. Although Public Works did not have any problem with placing the access to the development closer to the eastern boundary (or on the eastern boundary), it would not change the number of curb cuts. Leaving the curb cut where it is proposed would permit more flexibility in access management design for the neighboring eastern property when it comes forward for development.*

Discussion was held regarding access to the site and curb cuts. It was felt that clarification was needed from the Department of Public Works as to

where access should occur to allow the most flexibility for future development of the neighboring eastern property. Staff was then directed to request a written clarification from Public Works regarding the access issue. It was requested that the information be made available by the next City Council meeting.

**4. Review the possibility of having one of the buildings constructed as a three-story structure.**

*Staff Response to Issue #4 – Averaging 22,500 sq. ft. per story, a three-story building would be 67,500 sq. ft. A building of this size could be built without changing either building footprint. If the remaining building were to be made into a two-story building, the building footprint could be changed, resulting in more open space on the site.*

*If a three-story building was built, the second building could be built at a dimension of 112.50' x 100', allowing an increase of 11,250 sq. ft. available for open space. The result would be a new open space percentage of 39%.*

Chair Geiger pointed out that the proposed square footage of 90,000 allows for 36% open space. The Planning Commission dropped the square footage to 82,000, which allows for approximately 37% open space.

Mr. George Stock, Stock & Associates, addressed the Committee. He stated that 40% open space could be achieved by eliminating 38 parking spaces. The parking spaces could be eliminated by reducing the retail use and increasing the office use on the site. The change in use would allow the proposed square footage of 90,000 and still achieve 40% open space.

General discussion was held regarding height limitations in the subject area and two-story buildings vs. three-story buildings. Chair Geiger stated that he was not opposed to a three-story building if it increased the open space. Councilmember Fults stated she would not want to see a three-story building on that side of the highway because all the other buildings in the area are very low to the ground. Councilmember Durrell felt a contrast in heights would be appealing and stated she would not be opposed to a three-story building.

Planning Commission Chair Sherman stated that her recollection for that side of the highway was the intent of wetlands, a berm and wild life.

Councilmember Fults made a motion to increase the square footage from 82,000 to 90,000. The motion was seconded by Councilmember Durrell and **passed by a voice vote of 4 to 0.**

Chair Geiger asked if 90,000 sq. ft. meets the Floor Area Ratio calculations noting that the Attachment A shows the Floor Area Ratio at a maximum of 25%. He thought that 90,000 sq. ft. would give a Floor Area Ratio of about 27-28%.

Chair Geiger made a motion directing Staff to re-calculate the Floor Area Ratio using 90,000 sq. ft. and adding the calculation as a Green Sheet item. The motion was seconded by Councilmember Fults and **passed by a voice vote of 4 to 0.**

Councilmember Fults made a motion to include wording on the Green Sheet to the Attachment A as follows:

*In consideration of reduction to 40% open space, additional hardscape features and reflecting pool at the entrance to the site will be required.*

Councilmember Hurt asked for clarification of the word “hardscape”. Senior Planner McCaskill-Clay advised that “hardscape” includes art, statuary, and fountains.

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

Discussion was then held regarding the placement of the two buildings on the subject site. In order to create more open space, Councilmember Hurt felt the front building could be shifted to the west.

Referring to the Preliminary Plan, Councilmember Hurt made a motion to have the front building shift to the west, in front of the second building; to have the parking shifted; and to have the access moved closer to the eastern boundary. **The motion died due to the lack of a second.**

Chair Geiger made a motion to accept **P.Z. 02-2004 Summit Development (Valley Gates Buildings)**, as amended, and to forward it to Council with a recommendation for approval. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4 to 0.**

**Note: One bill, as recommended by the Planning Commission, will be needed for the January 17, 2005 City Council Meeting.  
See Bill #**

### **III. NEW BUSINESS**

- A.** An Ordinance Amending the Chesterfield City Zoning Code and Establishing Regulations for Adult Entertainment Businesses – *Referral from Public Health & Safety Committee*

Chair Geiger made a motion to forward the Ordinance to the Planning Commission for review. Councilmember Fults seconded the motion.

During general discussion, it was noted that adult entertainment businesses are constitutionally-protected and, therefore, cannot be outlawed from the City.

The motion to forward the Ordinance to the Planning Commission **passed by a voice vote of 4 to 0.**

**B. 2005 Meeting Schedule for Planning & Zoning Committee**

Councilmember Durrell made a motion to approve the 2005 Meeting Schedule. The motion was seconded by Councilmember Fults **and passed by a voice vote of 4 to 0.**

**IV. PENDING PROJECTS/DEPARTMENTAL UPDATE**

**A. Update on Current Projects**

Project Planner Aimee Nassif gave a brief Power Point presentation on the Unified Development Code noting that it would codify all the requirements and language from all the various Ordinances. Staff has been working on each chapter – incorporating all ordinances. After a chapter has been completed, it will go through the following processes:

- To the City Attorney for review.
- Once the City Attorney's comments are received, it will be forwarded to the Ordinance Review Committee of the Planning Commission.
- Design regulations will be sent to the Architectural Review Committee and the Architectural Review Board. From there it will go on to -
- The Planning Commission for Public Hearing; then on to -
- The Planning & Zoning Committee; and finally to -
- City Council

It was noted that the Unified Development Code would be contained within one book including chapters on zoning, planning, the tree manual, landscape guidelines, subdivision ordinances, lighting ordinance, etc.

**V. ADJOURNMENT**

The meeting adjourned at 6:25 p.m.