

MEMORANDUM

TO: Mike Geisel, City Administrator
FROM: Justin Wyse, Director of Planning & Development Services *JW*



SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, January 18, 2018

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, January 18, 2018 in Conference Room 101.

In attendance were: **Chair Guy Tilman** (Ward II), **Councilmember Barry Flachsbart** (Ward I), **Councilmember Dan Hurt** (Ward III), and **Councilmember Michelle Ohley** (Ward IV).

Also in attendance were: Mayor Bob Nation; Planning Commission Chair Merrell Hansen; Justin Wyse, Director of Planning & Development Services; Cecilia Dvorak, Project Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:45 p.m.

I. APPROVAL OF MEETING SUMMARY

A. Approval of the January 4, 2018 Committee Meeting Summary

Councilmember Ohley made a motion to approve the Meeting Summary of January 4, 2018. The motion was seconded by Councilmember Flachsbart and passed by a voice vote of 3-0 with Councilmember Hurt abstaining.

II. UNFINISHED BUSINESS – None

III. NEW BUSINESS

- A. P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd) Ordinance Amendment: A request to amend the legal description and development conditions of an existing "PI" Planned Industrial District in Ordinance #2055, for a 15.4 acre tract of land located north of Highway 40/Interstate 64, west of Boone's Crossing (17U610139, 17U520258, 17U520269) (Ward 4)

STAFF REPORT

Cecilia Dvorak, Project Planner, presented the project request for an ordinance amendment to a "PI" Planned Industrial District for a 15.4 acre parcel located north of Highway 40/I-64, west of Boone's Crossing. The request includes the following:

1. An update to the legal description to ensure property lines are aligned with the ordinance.

2. An update to the permitted uses so that the current code uses are listed.
3. An additional allocation of 41,000 sq. ft. for parcel 1 – McBride Design Center
4. The removal of the maximum of four buildings for the entire development.
5. An update from the current Greenspace requirement to Open Space requirement as required by the City's current code.

A public hearing was held on November 27, 2017. In lieu of allocating 41,000 sq. ft. to one tract, it was agreed that imposing an FAR to each lot would be more beneficial ensuring that no single parcel could allot more than its share of square footage to the development. The applicant also agreed to prohibit outdoor storage of derelict vehicles and to comply with the 35% open space required of developments today. The Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8-0.

DISCUSSION

After considerable discussion regarding eliminating the four building maximum, it was decided the best approach would be to limit the number of buildings to two per tract in order to encourage larger buildings more appropriate of a PI District. Before the next City Council meeting the developer can modify the request and it can be further discussed at the Council meeting.

Councilmember Hurt made a motion to amend Section B.3 of the Attachment A regarding Floor Area, Height and Building Requirements to state that no single platted tract shall exceed two buildings. The motion was seconded by Councilmember Flachsbart and **passed** by a voice vote of 4-0.

Councilmember Hurt made a motion to forward P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd) Ordinance Amendment, as amended, to City Council with a recommendation to approve. The motion was seconded by Councilmember Ohley and **passed** by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning and Public Works Committee will be needed for the February 5, 2018 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 14-2017 Larry Enterprises-Lynch Hummer (17401 N Outer 40 Rd) Ordinance Amendment.]

B. P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd) Ordinance Amendment:

A request to amend the legal description and development conditions of an existing "PI" Planned Industrial District in Ordinance #2411, for an 8.3 acre tract of land located north of Highway 40/Interstate 64, west of Boone's Crossing (17U520269, 17U520247, 17U520148) (Ward 4)

STAFF REPORT

Cecilia Dvorak, Project Planner, stated that this petition is running concurrently with P.Z. 14-2017. The request is for an ordinance amendment to an existing "PI" Planned Industrial District for 8.3 acres located north of Hwy 40/I-64 west of Boone's Crossing. The request is to change the legal description to adjust the boundary changes to match the boundary line of adjusted Lot 2 of the MPD Investments subdivision.

The public hearing for P.Z. 15-2017 was also held on November 27, 2017 at which time no issues were heard. The Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8-0.

DISCUSSION

Councilmember Ohley made a motion to forward P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd) Ordinance Amendment to City Council with a recommendation to approve. The motion was seconded by Councilmember Flachsbart and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the February 5, 2018 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 15-2017 MPD Investments (14781 N Outer 40 Rd) Ordinance Amendment.]

- C. P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development):** A request for a zoning map amendment from the "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract of land located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road (17T310016, 18T630173, 18T630205, 18T640226) (Ward 2)

STAFF REPORT

Cecilia Dvorak, Project Planner, presented the request for a zoning map amendment from the "PC&R" Planned Commercial and Residential District, the "C8" Planned Commercial District and the "LLR" Large Lot Residential District to an "R-6AA" Residence District for a 12.6 acre tract of land. The tract is located on the south side of Old Chesterfield Road, northwest of the intersection with Wild Horse Creek Road.

The public hearing was held on December 11, 2017 at which time one issue was raised. Based on the number of units intended to be built, question was raised as to the need to rezone to the "R-6" versus the "R-6AA" Residence District, which is a slightly less dense zoning district. Additionally, concerns were raised regarding access and traffic, the sky exposure plane, the high design standards of the Urban Code land use designation, and the open space and tree preservation requirements. The Applicant has confirmed their willingness to rezone to "R-6AA" as opposed to the "R-6" Residence District. They have also acknowledged that they will comply with all City's requirements, which will be reviewed during the Site Plan stage.

The Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8-0.

DISCUSSION

Urban Core

Planning Commission Chair Merrell Hansen pointed out that this is a key piece of property for the Urban Core and, as such, the developer has a responsibility to reflect the City's vision when developing the site. She noted that the riparian trail is adjacent to the site and that the developer has indicated that they will integrate the trail into their plans.

Councilmember Flachsbart stated that “R-6AA” is a straight zoning district which does not allow the City to negotiate any special conditions with the developer. He then asked Staff whether the petition can go forward while allowing some control over how it is developed. Justin Wyse, Director of Planning & Development Services, replied that there are certain requirements within the Urban Core which must be adhered to, and Staff will continue working with the applicant to ensure those requirements are met.

Sky Exposure Plane

Because there is a transition from residential to urban core, Councilmember Hurt asked that the sky exposure plane be carefully reviewed once a site plan is submitted.

Current Zoning

Mr. Wyse stated that there are two important facts to note about the current zoning. There is an existing C-8 district on the northern side of the site which has been approved for a gas station; however, the requested rezoning will eliminate that use. On the east side, there is an existing portion that is zoned “PC&R” which is part of the downtown Chesterfield “PC&R.” Petition P.Z. 19-2017 is related to the subject petition and amends the “PC&R” to allow a land swap in order to facilitate where Wild Horse Creek Road was relocated.

Vision for the Urban Core

Ms. Hansen felt that there are certain instances where the Architectural Review Board, the Planning Commission, and the Planning & Public Works Committee should collaborate on the vision of certain developments, and thinks the subject site is such an example.

Discussion followed wherein it was suggested that a meeting be scheduled between the Planning Commission and the Planning & Public Works Committee to discuss the City’s vision for future development in the urban core area.

Councilmember Flachsbart felt that there should also be a meeting to review whether straight zoning was appropriate for the subject site, or whether a planned district should have been considered.

Councilmember Hurt stated that the site plan will need to be carefully reviewed, and pointed out that calling Power of Review is an option for the subject petition.

Petitioner’s Comments

Mr. Bryan Aston, Above All Development, stated that they are well aware of the City’s design standards for the Urban Core and they are confident they can achieve a product that will satisfy the City. Their engineer is already incorporating the riparian trail into their plans by designing a path leading to the trail, which will be an amenity for the residents.

Mr. Wyse confirmed that there has been extensive communication between the applicant and Staff regarding density, the riparian trail, tree requirements, etc. He noted that this project has successfully evolved to its current state based on adopted policy and the City’s Comprehensive Plan.

Councilmember Flachsbart repeated his suggestion that a review meeting be held on this petition. The meeting could be a learning exercise regarding future urban core projects to determine whether straight zoning is feasible or whether additional restrictions need to be added to the City code.

Councilmember Tilman made a motion to forward P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development) to City Council with a recommendation to approve. The motion was seconded by Councilmember Ohley and passed by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning Commission, will be needed for the February 5, 2018 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 17-2017 Aventura at Wild Horse Creek (Above All Development).]

- D. P.Z. 19-2017 Downtown Chesterfield (Sachs Properties):** A request to amend the legal description and preliminary plan of existing "PC&R" Planned Commercial & Residential Ordinance 2449 for a 104.9 acre tract of land located at the southwest corner of the intersection of U.S. Highway 40/I-64 and Chesterfield Parkway West (Ward 2)

STAFF REPORT

Cecilia Dvorak, Project Planner, presented the request for an amendment to the legal description and preliminary plan of existing "PC&R" Planned Commercial & Residential Ordinance 2449. The request is for a 104.9 acre tract of land located at the southwest corner of the intersection of U.S. Hwy 40/I-64 and Chesterfield Parkway West. The Petitioner desires to change the legal description of existing Ordinance 2449 to remove a 2.95 acre parcel and replace it with a separate 3.37 acre parcel.

The public hearing was held on December 11, 2017, at which time no issues were raised. The Planning Commission recommended approval of the request on January 8, 2018 by a vote of 8-0.

DISCUSSION

When being placed on the City Council agenda, the Committee felt that petition P.Z. 19-2017 should be voted on prior to petition P.Z 17-2017.

Councilmember Tilman made a motion to forward P.Z. 19-2017 Downtown Chesterfield (Sachs Properties) to City Council with a recommendation to approve. The motion was seconded by Councilmember Ohley and passed by a voice vote of 4-0.

Note: One Bill, as recommended by the Planning Commission, will be needed for the February 5, 2018 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on P.Z. 19-2017 Downtown Chesterfield (Sachs Properties).]

E. Public Hearing Advertising Process

STAFF REPORT

Justin Wyse, Director of Planning & Development Services, explained that State statute requires public hearing notices for zoning-related items to be published in a paper of record. The City is currently publishing in the Post-Dispatch. Over the years, the cost of advertising in the Post-Dispatch has increased, with many notices costing over \$1,000. Due to the ever-increasing costs associated with advertising in the Post-Dispatch, Staff is recommending that all future zoning-related notices be advertised in The Countian, which is in accordance with the City's Finance & Administration policy. The average cost for advertising in The Countian is \$50-\$60 per application.

DISCUSSION

A question was raised as to whether Staff had investigated advertising in the West Newsmagazine. Mr. Wyse replied that the West Newsmagazine is not published as frequently as The Countian, which would mean that some notices would have to be published earlier than the 15-day requirement now being followed.

Councilmember Flachsbart agreed with advertising in The Countian but suggested placing a small ad in a local newspaper notifying the residents of upcoming public hearings that would include the City's website address. He expressed concern that most residents do not read The Countian and would therefore not be aware of upcoming hearings.

Mr. Wyse suggested that Staff review the City's notification practices as a whole – such as utilization of ads, signs, website, mailers, and social media.

Councilmember Flachsbart made a motion to recommend to City Council that: (1) the paper of record for all zoning-related publication notices be The Countian; and (2) that Staff review the City's current advertising process. The motion was seconded by Councilmember Tilman and passed by a voice vote of 4-0.

[Please see the attached report prepared by Justin Wyse, Director of Planning and Development Services, for additional information on Public Hearing Advertising Process.]

IV. OTHER - None

V. ADJOURNMENT

The meeting adjourned at 6:47 p.m.