

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Acting Director of Planning

SUBJECT: Planning & Zoning Committee Meeting Summary
April 19, 2007

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held on Thursday, April 19, 2007 in Conference Room 101.

In attendance were: **Chair Connie Fults** (Ward IV); **Councilmember Jane Durrell** (Ward I); **Councilmember Bruce Geiger** (Ward II); and **Councilmember Dan Hurt** (Ward III).

Also in attendance were Councilmember Lee Erickson (Ward II); Councilmember Mike Casey (Ward III); Maurice L. Hirsch, Jr., Planning Commission Chair; Mike Geisel, Acting Director of Planning; Aimee Nassif, Senior Planner; Charles Campo, Project Planner; Jennifer Yackley, Project Planner; and Mary Ann Madden, Planning Assistant.

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

I. APPROVAL OF MEETING SUMMARY

A. Approval of the March 22, 2007 Planning and Zoning Committee Meeting Summary

Councilmember Geiger made a motion to approve the Meeting Summary of **March 22, 2007**. The motion was seconded by Councilmember Durrell and **passed by a voice vote of 3 to 0**. (Councilmember Hurt was not present for the vote.)

II. OLD BUSINESS - None

III. NEW BUSINESS

Chair Fults complimented the Staff on the new format being used for the Staff Reports. Planning Chair Hirsch stated that the Planning Commission also appreciates the improved format.

- A. **St. John's Mercy Sign Package:** A request to approve a Sign Package for the St. John's Mercy Rehabilitation Hospital, at 14561 North Outer Forty Rd. A 6.048-acre "PC" Planned Commercial District located south of Conway Road, approximately 900 feet east of Still House Creek Road.

Staff Report

Mr. Charles Campo, Project Planner, stated that the Ordinance for St. John's Mercy Rehabilitation Hospital requires all sign packages to be approved by the City Council. The Planning Commission approved the sign package on March 26, 2007 by a vote of 9 to 0.

The sign package includes two signs – a wall sign on the front elevation and a monument sign. The square footage of both signs is within the allowed size; the monument sign is heavily landscaped as required by the Ordinance.

Planning Commission Report

Planning Chair Hirsch stated that the Planning Commission had discussions regarding the scale of the wall sign and how it was calculated with respect to the articulation of the building. The Commission agreed with the size and placement of both signs.

DISCUSSION

Sign Illumination

Councilmember Hurt pointed out that there are no internally illuminated signs along this section of Highway 40. He noted that such signs are not prohibited, but the City has chosen not to allow them in some areas. He stated that he has no concerns with the size and location of the signs, but he does not support the fluorescent illumination of the signs.

Chair Fults stated that there are some signs in this area lit with a spotlight. Councilmember Hurt indicated that he does not have an issue with signs being lit by a spotlight because the illumination is going towards the building and not going outward.

Councilmember Durrell stated she does not have a problem with internal lighting but expressed concern that this could set a precedent for this type of lighting along Highway 40.

Mr. Mike Geisel, Acting Director of Planning, stated that there are fluorescent lighted signs throughout the City but not along this section of the highway. The provision in the Chesterfield Code for lighting states that there can be no exposed neon or exposed fluorescent tubes.

Councilmember Geiger stated he finds the building sign acceptable but has concerns about the proposed internal lighting of the monument sign.

Mr. Charles Campo, Project Planner, advised the Committee that the lighting for the wall sign was LED, not fluorescent.

Mr. Ryan Hodges and Mr. Jason Hebert, representing the Petitioner, addressed the Committee with respect to lighting the monument sign with spotlights as opposed to the back illumination. It was noted that there is a detention basin directly in front of the building, which could make it difficult to use spotlights. They felt it may be possible to set a spotlight on a pedestal but wanted to keep the lighting as unobtrusive as possible.

Councilmember Hurt made a motion to amend the St. John's Mercy Sign Package by removing the internal illumination from both signs and to forward it to City Council with a recommendation to approve as amended. The motion was seconded by Councilmember Geiger and **was tied by a voice vote of 2 to 2. (Chair Fults and Councilmember Durrell voted "no".)**

Chair Fults noted that St. John's Mercy Sign Package would go forward to Council with no recommendation.

Councilmember Hurt encouraged Councilmembers Geiger and Erickson to talk to their Ward II residents about the lighting of these signs before the next Council meeting.

Note: This is a Sign Package, which requires approval by City Council. A voice vote will be needed at the May 7, 2007 City Council Meeting.

[Please see the attached report, prepared by Mike Geisel, Acting Director of Planning, for additional information on St. John's Mercy Sign Package.]

- B. P.Z. 16-2006 Conway Point Office Building (Nelson McBride Development):** A request for a change of zoning from an "R-3" Residence District to a "PC" Planned Commercial District for a 1.1 acre tract of land located at 15310 Conway Road, at the southwest corner of Chesterfield Parkway and Conway Road.

Staff Report

Ms. Jennifer Yackley, Project Planner, stated that the Petitioner had requested the following two amendments from the Planning Commission:

- A reduction in the open space from the 45% requirement to 37%.
- A reduction in the parking space requirement from 4 spaces/1,000 square feet of gross floor area to either 3.3 spaces/1,000 square feet of gross floor area or 4 spaces/1,000 square feet of usable/leasable space as defined by BOMA.

The Planning Commission did not make any motions on the two requested amendments. The Petitioner is requesting that the Planning & Zoning Committee consider the two proposed amendments.

Planning Commission Report

Planning Chair Hirsch stated that he specifically asked the Commission for any motions on the requested amendments, but no motion was made for either amendment.

The Commission felt that the requested zoning is appropriate for the site and that the Attachment A, as written, is appropriate for the site. There was some discussion regarding traffic and all questions were answered concerning ingress and egress.

It was also pointed out to the Commission that the Plan being presented does not meet all the requirements of the Attachment A. However, the Commission only voted on the rezoning – not the Plan. Any Site Plan will have to meet the requirements of the Attachment A. He further advised that Staff has commented that a plan, which does not conform to the requirements of the Attachment A, would not be forwarded to the Planning Commission.

Councilmember Hurt stated that he concurs with the Planning Commission with regard to not approving the requested amendments.

DISCUSSION

Third-Story Mezzanine/Building Height

Councilmember Hurt expressed concern that the proposed third story for this building could produce a “canyon effect” along Highway 40. Planning Chair Hirsch stated that this site is a “hole” and the building will be set down. The Commission did not raise any issues with the proposed third-story mezzanine.

Councilmember Geiger expressed concern about the height of the building. He noted that the top of the building is 62 feet above the grade of Conway Road, which is unacceptable to him. He stated that the subject site is an important corner for the City and he feels that a two-story building is more appropriate for the site. He does not want the site to have a “crammed” feeling.

Ms. Yackley stated that the Attachment A does not have a height limitation. The Attachment A states that the building must adhere to the City code.

Mr. Geisel pointed out that the City code in a “PC” District allows a maximum height of 75 feet. If the Committee wants to add a height requirement, it may do so. Mr. Geisel further stated that when a building goes over 30 feet in height, setbacks have to be increased by one foot for every additional two feet in height. He noted that the proposed plan does not have enough parking, so if the building is taller, the floor plan is necessarily smaller in order to accommodate the more restrictive setbacks. At the present time, the proposed plan does not meet City requirements with respect to parking, setbacks, and landscaping.

Councilmember Geiger asked if the height of the building would be restricted if none of the requirements were amended. Mr. Geisel stated that the building will be restricted economically. The net result of having the sky plane, the parking requirements, and the open space requirements will economically restrict the height of the building. He noted that because underground parking is very costly, the parking requirements can only be met by reducing the gross square footage of the building. Density can only be increased by providing additional parking, which must occur within the structure footprint and is, therefore, very costly. If the Committee chooses to impose a height limitation, Mr. Geisel suggested that it be referenced to Conway Road and not just a height above grade. Ms. Yackley stated Staff has looked into the issue of referencing the height, and felt that an existing utility marker on the road could be used as the reference point.

Councilmember Durrell stated that she did not have any problem with a three-story building for this site.

Zoning for the Site

Councilmembers Geiger, Durrell and Hurt felt that the requested zoning of "PC" is appropriate for the site.

Pathway on the Parkway

Councilmember Erickson stated that the Pathway on the Parkway does not extend across the bridge in this area, which is a concern to him. He asked how the Pathway would be affected once the subject site is re-graded.

Mr. Geisel stated that there is an easement being provided along Chesterfield Parkway for the Pathway. However, the overpass structure does not have any provisions for pedestrians, and a separate structure would be required.

Variance Requests

Councilmember Durrell expressed concern that the Petitioner is asking for variances to the open space, setback, and parking requirements. She felt that requesting three variances is asking for too much. It was pointed out to her, that at this time, the Committee is only being asked to approve the rezoning – not the building.

Councilmember Durrell felt that some leniency should be given to the Petitioner considering the small size of the property.

Left-Hand Turn

Councilmember Durrell felt that the possibility of a left-hand turn onto Conway Road would be beneficial.

Mr. Geisel stated that there is inadequate spacing between the Conway Road intersection and the ramp coming off the Highway. The signal on Conway Road is a County signal; the State signal is at the ramp coming off the Highway. The

County will not allow a left-turn here. Mr. Geisel felt a left-turn would be dangerous and strongly cautioned the Committee against allowing such a turn.

Petitioner's Presentation

Mr. Randy Johnston, Architect for the Petitioner, stated that the City's Comprehensive Land Use Plan indicates that the urban core is to be the area of highest density in the City. He noted that open space in Chesterfield Valley is 30% while open space in the subject area is 45%. He felt that a true urban core has much less open space and much higher density with respect to the floor area ratio.

The Petitioner's desire is to create a gateway to the City but to include a profiled roof on the building to relate to the neighboring residences. When a profiled roof is used – such as a gabled roof – it increases the height of the roof. Some municipalities allow construction to go from the eave line to the ridge line. The middle point of that is considered the effective visual height of the building. With this type of calculation, the building would be about 50 feet above Conway Road as opposed to 65 feet. The Petitioner's desire was to have a building that had a commercial feel to it, but he also wanted it to relate architecturally to the residential area.

Regarding a possible left-hand turn, Mr. Johnston stated that MoDOT has indicated that they do not like the long, sweeping right-turn off of the Highway. One MoDOT employee felt that changing the geometry of the island and making a right-turn onto Chesterfield Parkway would give enough stacking room to make it workable.

Mr. Johnston noted that the small size of the property makes it very challenging to make a building pro-forma work.

Councilmember Geiger indicated that he and Councilmember Erickson would meet with Mr. Johnston before the next Council meeting to better understand what type of building is being proposed – especially with respect to the height.

Councilmember Hurt stated he may be willing to give up a little on the setback, open space, and parking requirements to keep the building height lower.

Access/Access Management

Councilmember Hurt complimented the Staff on the language used in the Attachment A with respect to the defeasible entrance.

Acquiring Property to the West of the Site

Mr. Johnston stated that the Petitioner has attempted to purchase the property to the west of the site but has not been successful.

Acquiring Right-of-Way Property

Mr. Johnston stated that the Petitioner has made offers to both St. Louis County and MoDOT to acquire about 50 feet of their right-of-way. If acquired, the parking and open space issues are resolved with constructing a three-story building.

Mr. Geisel stated that if this property is acquired, it complicates the matter in that the rezoning is only for the parcel as it exists today. The newly-acquired parcel would not be included in the rezoning. Accordingly, if additional property is purchased and included in the site plan, the revised site may have to return to both the Planning Commission and the Planning & Zoning Committee.

Councilmember Hurt made a motion to forward P.Z. 16-2006 Conway Point Office Building (Nelson McBride Development) to City Council with a recommendation to approve with the understanding that Council will include an amendment for height restriction in the Attachment A. The motion was seconded by Councilmember Geiger 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 7, 2007 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Mike Geisel, Acting Director of Planning, for additional information on P.Z. 16-2006 Conway Point Office Building (Nelson McBride Development).]

- C. P.Z. 03-2007 Chesterfield Retail Center:** A request for a change of zoning from an “M3” Planned Industrial District to a “PC” Planned Commercial District for an approximately 2.045 acres of land located at 17670 and 17680 Chesterfield Airport Road east of the intersection of Chesterfield Airport Road and Chesterfield Industrial Boulevard.

Staff Report

Ms. Yackley stated that the rezoning request was approved by the Planning Commission by a vote of 8 to 0. The following two modifications were made to the Attachment A:

- Drive-thru facilities are prohibited for any of the permitted uses.
- A typographical error was corrected changing the open space requirement to 40% vs. 45%.

Planning Commission Report

Planning Chair Hirsch stated that the issue of drive-thru facilities was site-specific. The Commission felt that the site was too constricted to have any drive-thru facilities. The Petitioner was agreeable to eliminating drive-thru facilities.

DISCUSSION

Access

Mr. Geisel stated that the presented Plan was revised because the Fire Department wanted access to Chesterfield Airport Road for emergency vehicles. Staff did not feel access should be permitted to Chesterfield Airport Road and instructed the Petitioner to revise their Plan to have access from Chesterfield Industrial Boulevard. The existing Attachment A does not permit any access – even emergency access – to Chesterfield Airport Road. Mr. Geisel encouraged the Committee to prohibit access to Chesterfield Airport Road.

Councilmember Hurt concurred with the proposed access.

Mr. Geisel pointed out that the Site Plan does not meet the required criteria because of the access drive. The building may have to be shortened on the east side to allow the fire trucks to get around it.

If the City were to grant emergency access to Chesterfield Airport Road, the Fire District agreed to restrict it with an emergency access gate.

Cross Access

Mr. Geisel stated that the subject site is sandwiched between Regions Bank and the Chamber of Commerce offices. There is a driveway adjacent to the Regions Bank off of Chesterfield Industrial Boulevard that serves both parcels. This is the cross access that exists to access the subject parcel.

There is no cross access to the south or east. There is a major drainage channel that exists on the east and there is an existing site on the south.

Councilmember Hurt made a motion to amend the Attachment A to include cross access to the south parcel at the direction of the City. The motion was seconded by Councilmember Geiger and **passed by a voice vote of 4 to 0.**

Zoning for the Site

Councilmember Hurt felt that “PC” zoning is inappropriate since the site is surrounded by “PI” zoning. He asked which uses would be eliminated under “PI” zoning. Ms. Yackley stated the following uses would not be allowed under “PI”:

- Barber shops and beauty salons
- Bookstores
- Dry cleaning drop-off and pick-up stations

Ms. Aimee Nassif, Senior Planner, stated that “PI” Districts do not have any special performance standards. The “PC” requirements for open space, parking, height, and setbacks would not pertain to “PI” zoning. Councilmember Hurt stated that the City would be able to dictate the requirements under “PI”.

Chair Fults did not feel it would be beneficial to lose all the performance standards under the “PC” zoning. She noted that other “PC” zoning is right down

the street from the subject site. Councilmember Hurt felt this would be “chipping away” at the “PI” zoning in the area.

Planning Chair Hirsch stated that the Comprehensive Plan allows both “PC” and “PI” zoning throughout this entire area. The Planning Commission had no issue with the site being zoned “PC”.

The architect for the Petitioner stated that the owner purchased the property for the specific use of a beauty salon.

Councilmember Hurt stated that the City’s growth has always been dependent upon a good mix of zoning. He expressed concern that “PC” zoning is increasing in relation to “PI” zoning. He felt that too much “PC” zoning will eventually result in vacancies in the City because of too much competition and not enough “PI” to support it.

Chair Fults stated that as one heads towards the Airport, there is nothing but “PI” zoning.

Councilmember Durrell felt the “PC” zoning would be supported by the employees working in the “PI” Districts.

If the site was zoned “PI”, Councilmember Hurt asked whether a Conditional Use Permit procedure would allow a beauty salon on the subject site. Ms. Nassif replied that the Conditional Use Permit procedure does not allow a beauty salon as a permitted use.

Parking

The site requires 66 parking spaces and the Petitioner is requesting 87 spaces, which calculates to 5.5 spaces/1000 sq. ft. of gross floor area.

Councilmember Geiger asked why there is excess parking on the site. The Architect for the site felt that the use of beauty salon would need this much parking.

Mr. Geisel pointed out that when MSD implements its storm water impervious charge, it may encourage petitioners to reduce the number of parking spaces. MSD charges will be based upon total impervious area.

Councilmember Geiger made a motion to forward P.Z. 03-2007 Chesterfield Retail Center, as amended, to City Council with a recommendation to approve with the stipulation that there be a proviso questioning the over-parking of the site,. The motion was seconded by Councilmember Durrell and **passed by a voice vote of 3 to 1. (Councilmember Hurt voted “no” noting that he feels “PI” District is the appropriate zoning for this site.)**

**Note: One bill, as recommended by the Planning Commission, will be needed for the May 7, 2007 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Mike Geisel, Acting Director of Planning, for additional information on P.Z. 03-2007 Chesterfield Retail Center.]

- D. P.Z. 08-2007 Chesterfield Valley Power Sports (17501 N. Outer 40 Road):** A request for an amendment to City of Chesterfield Ordinance 1372 to allow for a two-story building in this “C-8” Planned Commercial District. (17U510051)

Staff Report

Ms. Aimee Nassif, Senior Planner, stated the Ordinance Amendment request is to allow for the construction of a two-story building. The existing Ordinance limits the building height to one-story.

The Public Hearing was held on March 12, 2007, which raised the issue of outdoor display of some equipment. As a result, the Ordinance was amended to allow outdoor display of no more than six vehicles. The Planning Commission approved the Ordinance Amendment by a vote of 9 to 0.

Planning Commission Report

Planning Chair Hirsch reported that the Commission asked that the Attachment A reference the building sides as east, west, north and south to avoid confusion of what is considered the front and back of the building. He noted that the front of the building is on the north side with the back of the building on the south side. The vehicles are being displayed on the south side of the building.

The Planning Commission also had some discussion about the paved area on the south side of the building. This area is not a sidewalk – it was included as a staging area to display the vehicles.

The Commission also discussed circulation of the site with respect to large trucks. The Commission was satisfied with the responses received.

DISCUSSION

Outdoor Display

Chair Fults noted that the Petitioner had indicated by letter that he would only display new or current-year models outside and she requested that this be part of the motion to approve.

Councilmember Durrell asked where the display vehicles would be stored at night. The Petitioner replied that they would be taken inside. It was noted that

the garage doors shown on the building picture are on the north side facing the levee.

Building Height

Councilmember Hurt expressed reservations about raising the building height. If the proposed building is no higher than the neighboring Outdoor Storage building, he stated he would not object to the proposed second story.

Planning Chair Hirsch stated that the building is set back 50 feet from the North Outer Road and even further from Highway 40.

Councilmember Hurt asked Mr. Geisel to check the height requirements in the Ordinance for the Outdoor Storage building.

Councilmember Geiger made a motion to amend the Attachment A to permit only new or current-year models for outdoor display, and to forward P.Z. 08-2007 Chesterfield Valley Power Sports (17501 N. Outer 40 Road) to City Council with a recommendation to approve. The motion was seconded by Councilmember Durrell 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 7, 2007 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Mike Geisel, Acting Director of Planning, for additional information on P.Z. 08-2007 Chesterfield Valley Power Sports (17501 N. Outer 40 Road).]

- E. P.Z. 09-2007 City of Chesterfield (Beckemeier Property):** A request for a change of zoning from “NU” Non-Urban District to “PS” Park and Scenic for two (2) parcels located on the north side of Olive Boulevard, directly west of the Mansions at Spyglass Summit Subdivision. Total area to be rezoned: 48.748 acres 14401 and 14415 Olive Boulevard (16R220194 and 16R220206)

DISCUSSION

Plans for the Site

Mr. Geisel stated that he has received plans for the parking lot and it is not in the housing area. The plans show a paved lot of nine parking spaces over the existing roadway.

The trails proposed at this time by the Department of Conservation rim the bluff line; they do not go to the bottom of the bluff.

Two Council Readings

Councilmember Durrell suggested two readings on this petition at the next City Council meeting. After discussion, the Committee agreed not to have two readings at the next Council meeting.

Councilmember Hurt made a motion to forward P.Z. 09-2007 City of Chesterfield (Beckemeier Property) to City Council with a recommendation to approve. The motion was seconded by Councilmember Durrell 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 7, 2007 City Council Meeting.
See Bill #**

[Please see the attached report, prepared by Mike Geisel, Acting Director of Planning, for additional information on P.Z. 09-2007 City of Chesterfield (Beckemeier Property).]

F. Selection of Officers and Committee Assignments

The following Officers and Committee Assignments were agreed upon:

- Planning Commission Liaison – Connie Fults
- Vice Chair of Planning & Zoning Committee – Dan Hurt
- Landmarks Preservation Commission – Jane Durrell
- Board of Adjustment – Bruce Geiger

IV. PENDING PROJECTS/DEPARTMENTAL UPDATE

V. ADJOURNMENT

The meeting adjourned at 6:55 p.m.