

## MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: January 24, 2005

SUBJECT: Planning & Zoning Committee Meeting Summary – **January 20, 2005**

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, January 20, 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; Director of Planning Teresa Price; Senior Planner Annissa McCaskill-Clay; and Mary Ann Madden, Planning Assistant.

Chair Geiger called the meeting to order at 5:32 p.m.

### I. APPROVAL OF MEETING SUMMARY

Councilmember Fults made a motion to approve the Meeting Summary of January 6, 2005. The motion was seconded by Councilmember Durrell and **passed by a voice vote of 4 to 0.**

### II. OLD BUSINESS - None

### III. NEW BUSINESS

- A. **P.Z. 27-2004 THF Chesterfield Three Development (Home Depot):** A request for an amendment to City of Chesterfield Ordinance 1624 to allow for seasonal outdoor sales and storage at the easternmost anchor of Chesterfield Commons West from March 15th until October 15th of each year. (17U-22-0080)

Senior Planner Annissa McCaskill-Clay gave a presentation stating that Home Depot has requested seasonal outdoor storage for the time period March 15 – October 15. The request was originally for 3,000 sq. ft. At the Planning Commission Meeting of January 10, 2005, Home Depot agreed to change its request from 3,000 sq. ft. to the actual square footage of 2,976 sq. ft.

The following items have been added to the Attachment A:

- I.A.19. *Seasonal outdoor storage* as a Permitted Use.
- I.B.7. *The use listed in A(19) above shall be limited to the westernmost anchor store of Chesterfield Commons West, directly west of RHL Boulevard for the period of March 15<sup>th</sup> until October 15<sup>th</sup> of each year and the following shall also apply:*
  - a. *The area to be utilized for seasonal storage shall be limited to 2,976 square feet as delineated on the attached Exhibit A.*
  - b. *Materials in the storage area shall include only plant materials, potting soil, top soil and cypress mulch and shall not be stored in shipping containers.*
  - c. *A 44 inch wide aisle in front of each gate, giving clear access to the drive aisle on the north side of the area shall be provided.*
  - d. *Materials stored inside existing fencing on the site shall not extend or be visible above the fence line.*
- I.B.8. *No retail sales, storage or displays are permitted outside of enclosed buildings except as listed above.*

Items 7 and 8 use language that is nearly identical to what was used for Lowe's. Casco, representing The Home Depot, has indicated that no sales registers will be outdoors – all sales will be conducted indoors.

Senior Planner McCaskill-Clay pointed out that the Attachment A also includes two new sections:

- VII.A.9. *Light Requirements* - Requiring all lighting to adhere to the City's Lighting Ordinance.
- VII.A.11. *Utilities* - Requiring underground utilities.

Planning Commission Chair Victoria Sherman stated that the Planning Commission felt that it was not granting any more or any less to The Home Depot than what had been granted to Lowe's.

Councilmember Fults expressed concern about the safety of customers stepping off the sidewalk area - where materials are being displayed - into a traffic lane. Mr. Geoff Yothers, Casco Engineers and Architects, representing The Home Depot, stated that the area next to the outdoor storage area is a loading zone, which should prohibit traffic in this area.

Councilmember Durrell asked what types of displays would be used for the plants. Mr. Yothers replied that The Home Depot would be utilizing tiered-wedding cake-type displays for plants and that nothing would be above the 12' fence.

Councilmember Durrell pointed out that the Permitted Uses allows for “*seasonal outdoor storage*” while the title of the Ordinance states “*to allow for seasonal outdoor sales and storage*”. Senior Planner McCaskill-Clay stated that during the January 10<sup>th</sup> Planning Commission meeting, it was clarified by the Petitioner that outdoor **sales** would not be taking place – only outdoor **storage**. With respect to the wording in the Ordinance of “*to allow for seasonal outdoor sales and storage*”, it was agreed that Staff would delete the word “*sales*” so that the wording in the Ordinance and the Attachment A agree.

Councilmember Durrell questioned why the changes/additions made by the Planning Commission were not highlighted in the Attachment A. She felt that if they had been highlighted, the Committee members would have known what the changes were before the meeting. Planning Commissioner Chair Victoria Sherman stated that at the January 10<sup>th</sup> Planning Commission meeting, the rules were suspended to allow for a vote during its Issues Meeting. Because of this procedure, a Staff Report was not written outlining the Planning Commission’s changes and additions. Councilmember Durrell stated that if this should happen in the future, she would like to see the changes/additions highlighted in some manner before the Planning & Zoning Committee meeting.

Councilmember Durrell asked what the word “*vestibules*” referred to. Mr. Yothers replied that the vestibules are the entrance and exit of the main store.

Councilmember Fults asked how high the fence around the storage area was. Mr. Yothers replied that the fence is 12' high all around and screened.

Councilmember Fults made a motion to accept **P.Z. 27-2004 THF Chesterfield Three Development (Home Depot)** 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 February 7, 2005 City Council Meeting.  
See Bill #**

## **B. Miscellaneous**

Councilmember Fults asked if there is an ordinance in the City of Chesterfield that prohibits a builder taking lot deposits before the land is zoned. Staff indicated that they would research this matter.

#### **IV. PENDING PROJECTS/DEPARTMENTAL UPDATE**

Director of Planning Teresa Price stated that the next Planning Commission Meeting has only one agenda item that will not be forwarded to the Planning & Zoning Committee at its scheduled meeting of February 10. It is possible that the February 10<sup>th</sup> meeting may be cancelled.

#### **V. ADJOURNMENT**

The meeting adjourned at 5:52 p.m.