

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa Price, Director of Planning ✓

DATE: February 10, 1999

SUBJECT: Planning and Zoning Committee Meeting Summary from February 4, 1999

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, February 4, 1999, in the City Council Conference Room. In attendance were: Chair Dan Hurt (Ward III); Councilmember Barry Flachsbart (Ward I); Councilmember Barry Streeter (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Planning Commission Chair Robert Grant; Teresa Price, Director of Planning; and Laura Griggs-McElhanon, Assistant Director of Planning.

*To be discussed at 3/1/1999 City Council Meeting.

I. A. Approval of Planning and Zoning Committee meeting summary of January 21, 1999.

A motion to **approve** the meeting summary of January 21, 1999, was made by Councilmember Brown, seconded by Councilmember Flachsbart, and **approved by a vote of 4 to 0**.

I. B. Approval of Planning and Zoning Committee/Planning Commission meeting summary of January 7, 1999.

A motion to **approve** the meeting summary of January 7, 1999, was made by Councilmember Brown, seconded by Councilmember Flachsbart, and **approved by a vote of 4 to 0**.

***II. P.Z. 26-89 Midland Capitol Properties II (Chesterfield Crossing); request for a Parking Reduction in a "C-8" Planned Commercial District; west side of Clarkson Road, south of Chesterfield Parkway West.**

Assistant Director of Planning Laura Griggs-McElhanon presented the request to approve a parking reduction in the Chesterfield Crossing Shopping Center to allow Wild Oats Market to move into the tenant space currently occupied by Kids R Us. She advised the Committee that the issue is not the use – a 17,300 square foot grocery store would be permitted without any approval necessary from the City Council or the Planning Commission. The issue is providing parking as required by the Zoning Ordinance. A parking study, as required by the Zoning Ordinance, was submitted with this request. The recommendation before the Committee is to allow a 10% parking reduction.

It was the consensus of the Committee to refer the issue of banning trucks over a certain size from turning onto Lea Oak to the Public Health and Safety Committee of City Council. It was recognized that the trucks would have to cross Lea Oak when accessing the Chesterfield Crossing Shopping Center from Clarkson Square Shopping Center.

Michael Doster, attorney for Wild Oats, stated that the proposed market would be 21,500 square feet, which is almost the same size as the current Ladue store. There are currently 18 tenants in the Chesterfield Crossing Shopping Center, which includes the bank.

Doug Shatto, Crawford, Bunte, Brammeier, stated that based on the parking study, the Center can accommodate Wild Oats. Currently, Chesterfield Crossing Shopping Center has a 48% surplus of parking. He advised the Committee that the Wild Oats Market use would increase the parking by 60 to 70 cars over the Kids R Us (40-60 cars up to 100-120 cars).

There was general discussion by the Committee about a concern relative to the increase in traffic to the Center because of Wild Oats.

A motion to approve the 10% reduction was made by Councilmember Flachsbart and seconded by Councilmember Brown.

There was a general discussion of the bank parking (number of spaces and location).

Councilmember Streeter stated that he would be voting no on this request. He is disappointed that the parking study didn't include the potential impact on Lea Oak and Clarkson.

Chair Hurt stated that he feels this concern is valid, and he would like to see the intersection of Clarkson and Lea Oak improved.

The motion was approved by a vote of 3 to 1, with Councilmember Streeter voting no and Chair Hurt voting yes with reservations.

Note: One bill relative to this matter will be needed for the March 1, 1999, City Council Meeting.

SEE BILL # _____

III. P.Z. 3 & 4-93 DLC Development Co. (Wild Horse Springs); a request for amendment of City of Chesterfield Ordinance Number 787 providing for an increase in the number of lots from 30 to 31 in Wild Horse Springs Subdivision; located on the north side of Wild Horse Creek Road, east of the intersection of Wild Horse Creek Road and Wilson Road.

AND

IV. P.Z. 3 & 4-93 DLC Development Co. (Wild Horse Springs); a request for amendment of City of Chesterfield Ordinance Number 879 providing for a First Amendment to Indenture of Trust and Restrictions of Wild Horse Springs Subdivision; located on the north side of Wild Horse Creek Road, east of the intersection of Wild Horse Creek Road and Wilson Road.

Director of Planning Teresa Price advised the Committee that information had been received from Director

of Public Works/City Engineer Michael Geisel (memo was in the packet), that stated that the City currently does not have a mechanism in place to remove the existing detention facility. In addition, he felt that the issue of city workers doing work on private property needed to be addressed by City Attorney Douglas Beach.

Councilmember Brown stated that she talked to Director of Public Works/City Engineer Michael Geisel. He advised her that Wildhorse Springs Plat 2 could not have been required to clean up Plat 1 because they are two (2) separate entities. Public Works expected that the abandoned detention area would be a buildable lot.

Trustee Scott Malin stated that the detention area was originally only 8000 square feet, so it couldn't have been a lot. However, when the cul-de-sac was removed and the street connected to Plat 2, the lot size was increased to 16,000 square feet.

Councilmember Brown reminded the Committee that there are two (2) issues to be addressed: the increase in number of lots; and, an amendment in the indentures.

A motion to deny the ordinance amendment to increase the number of lots was made by Councilmember Flachsbart, seconded by Councilmember Streeter and approved by a vote of 3 to 1, with Councilmember Brown voting no.

**Note: One bill relative to this matter will be needed for the March 1, 1999, City Council Meeting.
SEE BILL # _____**

It was noted that a super majority vote of City Council would be needed to approve because the Planning Commission recommended denial of this request.

A motion to deny the amendment to the Trust Indentures was made by Councilmember Flachsbart, seconded by Councilmember Streeter and approved by a vote of 3 to 1, with Councilmember Brown voting no.

**Note: One bill relative to this matter will be needed for the March 1, 1999, City Council Meeting.
SEE BILL # _____**

It was the consensus of the Committee that if the ordinance amendment to increase the number of lots was approved by City Council, the amendment to the Trust Indentures should also be approved.

Staff was directed to continue to look for funds to fix this situation (remove the detention structure and restore the land). In addition, information is needed from the City Attorney relative to city employees doing work on private property.

***V. Noise Ordinance** – New information has been received on this item. A revised ordinance will be reviewed.

Director of Planning Teresa Price stated that at the last Committee meeting, the revised Noise Ordinance received a favorable recommendation from the Committee. Subsequently, City Attorney Doug Beach submitted revisions.

There was general discussion by the Committee on the following: if the information was only required for the sale and not for every contract, potential owners will not find out until closing, which is too late; and reducing the keeping of records from 5 years to 3 years would result in the records being kept for too short of a time.

A motion to go forward with the original recommendation from the Committee was made by Councilmember Flachsbart, and seconded by Councilmember Streeter for discussion.

Councilmember Streeter stated that this ordinance will be hard to enforce and the City needs to put up signs identifying the airport noise impact area.

The motion was **approved by a vote of 4 to 0.**

Note: The City Attorney will prepare one bill relative to this matter for the March 1, 1999, City Council Meeting.

SEE BILL # _____

Councilmember Streeter left the meeting at 6:20 p.m.

VI. Planning Commission Packets – Staff will ask the Committee to provide direction on deadlines for Planning Commission packet preparation.

Director of Planning Teresa Price stated that the Planning Commission has requested that the meeting packet completion be moved from Friday before the Monday meeting to Wednesday before the Monday meeting. She provided a handout to the Committee, which illustrated the current timeframe for packet completion on Friday, and the proposed timeframe for packet completion on Wednesday.

There was general discussion by the Committee.

Planning Commission Chair Robert Grant stated that this issue has only come up recently because of complicated projects that require more time for review. In his opinion, 9 out of 10 projects can adequately be reviewed over a weekend.

The Committee noted that the Planning Commission has the discretion to hold items if they haven't had enough time to review.

Councilmember Brown stated that Planning Commissioner Rachel Nolan expressed this concern. In addition, the City has received a lot of criticism from citizens in opposition of projects that they aren't able to obtain copies of reports until the Friday before.

Director of Planning Teresa Price advised the Committee that she is very comfortable with the current timetable. Her concern is that the Planning Commission doesn't like getting comments and/or letters at the last minute (handed out at the meeting) and they don't like approving items with contingencies. If the deadline is moved, the Department might have to prepare reports and development conditions without all other agency comments.

A motion to have staff continue to use the Friday packet completion timetable was made by Councilmember Flachsbart, and seconded by Chair Hurt.

Chair Hurt stated that he doesn't want to change this if staff is comfortable with the current timetable.

The motion was **approved by a vote of 3 to 0.**

A motion was made by Councilmember Flachsbart to look into what it will cost to deliver packets to the Planning Commission.

There was a lot of discussion by the Committee.

The motion dies for lack of a second.

Chair Hurt directed Director of Planning Teresa Price to forward this to F&A.

Chair Hurt advised the Planning Commission Chair of the City Council action relative to the Chesterfield Valley Master Plan, Land Use section. He recommended that the Planning Commission consider creating a new land use designation that would allow office use with interior retail uses.

VII. Department Update – Director Teresa Price

This item was not discussed by the Committee.

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, March 4, 1999.

(NOTE: Subsequent to the February 4, 1999 Committee meeting, the City Council meeting scheduled for February 17th and the Committee meeting scheduled for February 18th were cancelled.)

The meeting adjourned at 6:43 p.m.