

# MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning *TJ*

DATE: July 6, 1999

SUBJECT: Planning and Zoning Committee Meeting Summary from June 21, 1999

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Monday, June 21, 1999, in the City Council Conference Room. In attendance were: Chair Mary Brown; Councilmember Jane Durrell (Ward I); Councilmember Barry Streeter (Ward II); and, Councilmember Mike Casey (Ward III). Also in attendance were: Planning Commission Chair Dan Layton; Teresa J. Price, Director of Planning; and, Laura Griggs-McElhanon, Assistant Director of Planning.

\*To be discussed at 6/21/1999 City Council Meeting.

**I. Approval of Planning and Zoning Committee Meeting Summary of May 20, 1999.**

A motion to **approve** the meeting summary of May 20, 1999, was made by Councilmember Casey, seconded by Councilmember Streeter, and **approved by a vote of 4 to 0**.

**\*II. P.Z. 13-96 A&O Investments, Ltd.; A request for an amendment to City of Chesterfield Ordinance Number 1207 relative to the approved locations for freestanding signs.**

Director of Planning Teresa Price described the request to allow the relocation of the currently approved freestanding sign on Conway Road to the intersection of Conway Road and Chesterfield Parkway.

There was discussion between the Committee and staff relative the location of existing signs, signage depicted during the rezoning process, size allowed, and the proposed location on the brick wall.

A motion to **approve** the amendment request was made by Councilmember Casey, seconded by Councilmember Streeter, and **approved by a vote of 4 to 0**.

**Note: One bill relative to these request will be needed for the June 21, 1999, City Council Meeting.  
SEE BILL # 1688.**

There was discussion among the Committee members about the format for the June 24, 1999 meeting.

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, July 9, 1999.

**The meeting adjourned at 5:20 p.m.**

TJP/LPGM/lpgm  
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# MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning <sup>TJ</sup>

DATE: July 2, 1999

SUBJECT: Planning and Zoning Committee Meeting Summary from June 24, 1999

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A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, June 24, 1999, in the City Council Conference Room. In attendance were: Chair Mary Brown; Councilmember Barry Streeter (Ward II); and, Councilmember Mike Casey (Ward III). Also in attendance were: Mayor Nancy Greenwood; Councilmember Barry Flachsbart (Ward I); Councilmember Grosser (Ward II); Councilmember Dan Hurt (Ward III); City Attorney Douglas Beach; Planning Commission Chair Dan Layton; Teresa J. Price, Director of Planning; Laura Griggs-McElhanon, Assistant Director of Planning; and Annissa McCaskill, Planner I.

\*To be discussed at 7/19/1999 City Council Meeting.

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

Chair Brown noted that this summary was not included in the packet and would be approved at the next Committee meeting.

\*II. **P.Z. 30-98 Sachs Properties, Inc.**; a request for a change of zoning for a 4.7 acre tract of land from "NU" Non-Urban District to "PC" Planned Commercial District on North Outer Forty Road (Highway 40), south of Conway Road.

Proposed Uses:

- Cafeterias for employees and guests only;
- Offices or office buildings;
- Apartment dwelling units in buildings primarily designated for occupancy by one or more of the permitted commercial uses wherein occupancy of the dwelling unit shall be limited to the owner, manager, or employee of the permitted use or uses and their respective families. A minimum of eight hundred (800) square feet of contiguous open space for the dwelling unit, protectively screened from commercial activities and directly accessible to the dwelling unit, shall be provided on the premises for the exclusive use of the occupants of such apartment. This is not to exclude one floor of multi-story (three or more) office buildings being developed for condominiums;
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours.

Chair Brown clarified the process to be followed this evening: staff will make a presentation to the Committee; the Committee will have discussion with the petitioner; and then there will be an opportunity for short resident comments.

Planner I Annessa McCaskill summarized the request contained in P.Z. 30-98 for rezoning on North Outer Forty. Subsequent to the public hearing before the Planning Commission, traffic studies were submitted and reviewed. The Planning Commission recommended denial of the petition on May 24, 1999. On June 12, 1999, a motion for reconsideration by the Planning Commission failed.

There was extensive discussion between the Committee, Councilmembers and staff, including:

1. clarification concerning any modification to the original proposal (access on the Outer Road revised, and original proposal was for an 8 story building containing 7 stories of offices and 1 story of residential versus the current proposal for all 8 stories to be offices);
2. new overpass versus a Texas U-turn (location, who pays);
3. westbound traffic to and from the site;
4. differences in the traffic studies submitted for this project, the Vitt project and the work done by the City's consultant;
5. impact of traffic on Conway Road;
6. cross access to the Vitt project;
7. access to Conway Road (how would access to Conway Road benefit this project?);
8. stormwater control (in conjunction with the Vitt project and independent of the Vitt project);
9. density;
10. Comprehensive Plan;
11. impervious surface; and,
12. Floor Area Ratio (FAR, square footage of building versus overall site = 86%).

Councilmember Flachsbart asked Planning Commission Chair Dan Layton what the Commission's concerns were.

Planning Commission Chair Dan Layton replied that the Commission paid a great deal of attention to the issue of traffic, including the east/west flow issue. While the current breakdown is 60% east and 40% west, the Commission was concerned with what it would be in 5 years. The Commission was also concerned with density and height of the proposed building compared to surrounding area. The Commission felt the traffic simulation didn't adequately address weaving.

Councilmember Casey asked Planning Commission Chair Dan Layton why the Commission denied the Sachs petition but sent the Vitt petition back to the Planning Department.

Planning Commission Chair Dan Layton replied that there were three (3) petitions that night that the Department was recommending denial on: Vitt, Sachs, and Brinkmann. Vitt submitted lengthy information that the Planning Commission wanted staff to look at. Brinkmann submitted a letter that addressed several things. Sachs didn't make changes other than access and residential use.

There was general discussion by the Committee and Councilmembers, including:

1. adherence to Tree Ordinance (27% of site will be green);
2. cross access to the west (not depicted);
3. internal sidewalks (only depicts sidewalk to the parking garage);
4. clarification of existing building elevations in the area (Bonhomme Church roof line is 650, Bonhomme Church top of steeple is 715); and,

5. height as viewed from surrounding area.

Planning Commission Chair Dan Layton stated that the Commission voted 8 to 0 for denial. Subsequently, he received a letter from the petitioner's attorney restating certain facts, including that the proposed development met the sky exposure plane regulations, and requesting Commission reconsideration. The motion for reconsideration failed.

Steve Koslovsky, attorney for the petitioner, addressed the Committee and Councilmembers on the following:

1. natural tendency to include this project with Vitt;
2. Comprehensive Plan issues are confusing with the Vitt petition (Major Office and Attached Single Family), but clear with ours (Major Office);
3. traffic impact – has been a tendency to talk about traffic to be generated by Vitt. We were asked to do a traffic study on both projects, not just ours;
4. traffic on Conway Road, according to the County Highway Department, has reduced in number over the years;
5. relative to what benefit to have access on Conway – have been improvements at Timberlake, that was intended to connect to Conway Road; but from the City's point of view the connection is not an acceptable solution, so Texas U-turn was an alternative;
6. access and internal circulation – original plan had 2 access points on Outer Road, but in response to staff and Planning Commission issues to coordinate with Vitt, revised access;
7. stormwater – original plan depicted underground vault. As an alternative, proposed a joint system with Vitt;
8. density – the development fronts on Highway 40. The Comprehensive Plan designation is Major Office. There are no guidelines or regulations on density. It is misleading to compare Vitt and Sachs. Proposing 28% greenspace and 72% parking area and building;
9. height – maximum elevation with equipment is 679', as compared to the Bonhomme Church roof 650', steeple 715', Solomon 660', and SE quadrant building 750'; and,
10. Sky Exposure Plane regulations – the proposal meets this.

There was extensive discussion between the Committee and Councilmembers and Mr. Koslovsky including:

1. letter of May 27, 1999;
2. reconsideration request;
3. number of parking spaces provided;
4. amount of impervious surface proposed;
5. reduction of the FAR;
6. reduction of the height; and,
7. handling of traffic to and from the west (Sachs traffic consultant wasn't asked to look at this).

There was extensive discussion about the project between City Attorney Douglas Beach and Mr. Koslovsky including the petitioner's stand on reducing the height of the proposed building.

Councilmember Flachsbart left the meeting at 6:55 p.m.

A motion to affirm the Planning Commission recommendation of denial was made by Councilmember Streeter and seconded by Chair Brown.

Chair Brown inquired if any of the residents in attendance wanted to make a statement.

The following residents spoke:

1. Fred Burn, Conway Meadows Condominiums
2. Laura Leuking, Conway Road resident
3. Perry Pattiz, Greenleaf Estates subdivision
4. Harvey Present, Shenandoah Trustee
5. Rich Drews, Conway Glen Trustee

Planning Commission Chair Dan Layton stated that the County Highway Department was in support of having Conway Road access for this project and connecting Timberlake to Conway Road.

Chair Brown called the question.

The motion to affirm the Planning Commission's recommendation of denial was **approved by a vote of 3 to 0**.

Councilmember Grosser left the meeting at 7:10 p.m.

**Note: One bill relative to this matter will be needed for the July 19, 1999, City Council Meeting.**

**SEE BILL # \_\_\_\_\_.**

**VI. P.Z. 10-99 Chesterfield Corporate Park; A request for a change in zoning from "M-3" Industrial District to "PI" Planned Industrial District for a 20-acre tract of land located on the north side of Chesterfield Airport Road, approximately 820' west of Long Road. (Locator Number: 17W 41 0038)**

Proposed uses:

- Animal hospitals, veterinary clinics, and kennels;
- Broadcasting studios for radio and television;
- Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications;
- Business service establishments;
- Cafeterias for employees and guests only;
- Child care centers, nursery schools, and day nurseries;
- Financial institutions;
- Filling stations, including emergency towing and repair services;

- Gymnasiums, indoor swimming pools, indoor handball and racquetball courts (public or private), and indoor and unlighted outdoor tennis courts (public or private);
- Hotels and motels;
- Mail order sale warehouses;
- Manufacturing, fabrication, assembly, processing, or packaging of any commodity except:
  - (i) Facilities producing or processing explosives or flammable gases or liquids;
  - (ii) Facilities for animal slaughtering, meat packing, or rendering;
  - (iii) Sulfur plants, rubber reclamation plants, or cement plants; and
  - (iv) Steel mills, foundries, or smelters;
- Medical and dental offices;
- Offices or office buildings;
- Outdoor advertising sign (additional to provisions of Section 1003.168);
- Parking areas, including garages, for automobiles, but not including any sales of automobiles, or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Permitted signs (See Section 1003.168 'Sign Regulations');
- Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facilities;
- Printing and duplicating services;
- Research facilities, professional and scientific laboratories, including photographic processing laboratories used in conjunction therewith;
- Restaurants, fast food;
- Restaurants, sit down;
- Service facilities, studios, or work areas for antique salespersons, artists, candy makers, craftpersons, dressmakers, tailors, music teachers, dance teachers, typists, and stenographers, including cabinet makers, film processors, fishing tackle and bait shops, and souvenir sales. Goods and services associated with these uses may be sold or provided directly to the public on the premises;
- Stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises;
- Union halls and hiring halls;
- Vehicle service centers;
- Vehicle washing facilities;
- Welding, sheet metal, and blacksmith shops.

It was noted that the petitioner was not in attendance.

Councilmember Hurt stated that he is concerned with some of the proposed uses.

A motion to hold P.Z. 10-99 was made by Councilmember Casey and seconded by Chair Brown.

There was general discussion by the Committee and Councilmembers of restricting uses on Highway 40 and Chesterfield Airport Road.

Councilmember Streeter inquired about the Valley Master Plan in this area.

Staff was directed to clarify the Valley Master Plan in this area at the next meeting.

Planning Commission Chair Dan Layton stated that the Architectural Review Board had an issue with visibility of the proposal.

There was general discussion by the Committee and Councilmembers, including:

1. fast food restaurants, including access and traffic;
2. number and location of proposed curb cuts (prefer only one opposite Chesterfield Industrial Boulevard);
3. future need for a traffic light at Chesterfield Airport Road;
4. stormwater (in conformance with the Valley Master Drainage Plan?);
5. public versus private roads (public); and,
6. requiring street lights on Chesterfield Airport Road.

The following uses were referenced by the Committee and Councilmembers as being objectionable at this location:

2. Broadcasting studios for radio and television;
3. Broadcasting, transmitting, or relay towers, studios, and associated facilities for radio, television, and other communications; and,
15. Outdoor advertising sign (additional to provisions of Section 1003.168).

Councilmember Hurt left the meeting at 7:25 p.m.

Michael Doster, attorney for the developer to the east, Kehr development, expressed concern about locking in the location of the east/west road, which would restrict the developer to the east. He stated that they would prefer more flexibility, so that it could be resolved between the developers.

Planning Director Teresa Price responded that the conditions currently require the road to be a minimum of 600' from the south and that the developer of P.Z. 10-99 work with the development to the east on the location of the road.

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

**\*III. P.Z. 7-99 Central City Park**; a request for a change in zoning from an "R-5" Residence District to a "PS" Park and Scenic District for a 34.0 acre tract of land located west of Chesterfield Parkway West.

Proposed Use:

- City Park and aquatic complex.

**\*IV. P.Z. 8-99 Chesterfield Valley Athletic Complex**; a request for a change in zoning from "C-8" Planned Commercial District and "FPM-3" Flood Plain "M-3" Planned Industrial District to a "PS" Park and Scenic District for a 103.0 acre tract of land north of Missouri State Highway 40.

Proposed Use:

- Athletic complex and undeveloped parkland.

**\*V. P.Z. 9-99 Railroad Park**; a request for a change in zoning from "FPNU" Flood Plain "NU" Non Urban District to a "PS" Park and Scenic District for a 33.3 acre tract of land located at the north side of the St. Louis Southwestern Railroad.

Proposed Use:

- Passive Parkland.

A motion to approve P.Z. 7, 8 and 9-99 was made by Councilmember Casey, seconded by Chair Brown, and approved by a vote of 3 to 0.

**Note: Three (3) bills relative to these petitions will be needed for the July 19, 1999, City Council Meeting.**

**SEE BILL # \_\_\_\_\_, P.Z. 7-99.**

**SEE BILL # \_\_\_\_\_, P.Z. 8-99.**

**SEE BILL # \_\_\_\_\_, P.Z. 9-99.**

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, July 9, 1999.

**The meeting adjourned at 7:35 p.m.**