

# MEMORANDUM

TO: Michael G. Herring, City Administrator

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

DATE: July 13, 1999

SUBJECT: Planning and Zoning Committee Meeting Summary from July 8, 1999

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, July 8, 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) – arrived later. Also in attendance were: Planning Commission Chair Dan Layton; Teresa J. Price, Director of Planning; Laura Griggs-McElhanon, Assistant Director of Planning; and Todd Streiler, Planner II.

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

I. A. Approval of Planning and Zoning Committee Meeting Summary of June 21, 1999.

The June 21, 1999 Meeting Summary was handed out.

A motion to approve the meeting summary of June 21, 1999 was made by Councilmember Streeter, seconded by Councilmember Durrell, and **approved by a vote of 3 to 0**.

B. Approval of Planning and Zoning Committee Meeting Summary of June 24, 1999.

A revised Meeting Summary for June 24, 1999 was handed out. Staff noted the revisions to the Committee (date correction on page 1, clarification added on page 3).

A motion to approve the revised meeting handed out for June 24, 1999 was made by Councilmember Streeter, seconded by Councilmember Durrell, and **approved by a vote of 3 to 0**.

II. **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.

Planner II Todd Streiler described the request for rezoning from "M-3" to "PI" Planned Industrial District and gave a brief description of the proposed development. He noted that at the June 24, 1999 Committee meeting, clarification was sought relative to the Comprehensive Plan Land Use Designation for this site. The Department has determined that inaccurate information was given to the Planning Commission. Specifically, the Commission was advised that the Comprehensive Plan

designates this property as "Mixed Use". Per the revision to the Comprehensive Plan approved in February of 1999, the designation is "Mixed Commercial".

There was discussion between the Committee and staff including: differences between "Mixed Use" and "Mixed Commercial" ("Mixed Use" allows warehousing, "Mixed Commercial" does not); why Mixed Commercial in specific locations (relationship to interchanges, aesthetics from roadways); and sending the petition back to the Planning Commission with the correct Comprehensive Plan information.

Councilmember Casey arrived at this time.

Councilmember Streeter stated that he would prefer more of a "campus" atmosphere for this development.

Chair Brown inquired how many parcels are designated "Mixed Commercial".

Director of Planning Teresa Price stated that if office/warehouse use were added to the "Mixed Commercial" land use designation, all parcels depicted in red on the Land Use Map displayed would be impacted.

There was discussion between the Committee and staff including: elimination of the eastern curb cut; proposed sharing of the eastern curb cut with property to the east; and provision of streetlights along Chesterfield Airport Road.

Councilmember Streeter stated that staff is doing a good job of providing cross access.

Planner II Todd Streiler advised the Committee that the Planning Commission recommended approval of this petition by a vote of 8 to 0. In addition, he advised the Committee that Attachment A contains a condition requiring a traffic study relative to the fast food use.

There was discussion by the Committee including: Chesterfield Airport Road turning into another Manchester Road relative to traffic; future increase in traffic in the Valley because of THF project; provision of a right turn lane; elimination of office/warehouse use; discontinuing the billboard use on the site; and, detention.

Michael Doster, attorney for adjacent property owner, advised the Committee that the Preliminary Plan for the proposed development to the east, Kent Kerr's property, depicts two (2) curb cuts, one that will be shared with P.Z. 10-99.

Councilmember Streeter stated that the Committee was concerned with other uses proposed, which were discussed at last meeting.

Assistant Director of Planning Laura Griggs-McElhanon stated those uses discussed at the last meeting:

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).

George Stock, representing the petitioner, advised the Committee that unlike Manchester Road, there would be a physical barrier constructed on Chesterfield Airport Road (median). He stated that the eastern drive entrance is important because the main entrance is required to align with Chesterfield Airport Road. That will result in the main entrance not being centrally located on the site, creating an unbalanced frontage with the easternmost lot having no direct access to the main entrance. The proposed shared drive will provide this direct access from Chesterfield Airport Road. He felt that without the shared drive, people would pass up the business on this lot. He expressed concern about deleting the office/warehouse use.

There was discussion between the Committee and staff including: requiring the easternmost drive to be right-in only; timing of project if sent back to the Planning Commission (to Commission on July 12 and back to the Committee on July 22); and zoning versus land use.

A motion to refer this back to the Planning Commission for their July 12, 1999 meeting for review of uses in Attachment A was made by Councilmember Casey and seconded by Chair Brown. It was specified that the Commission should look at the uses in light of the new information on the Comprehensive Plan to determine compliance with the "Mixed Commercial" designation.

George Stock clarified that this development would be required to do some widening on Chesterfield Airport Road for a turn lane.

Councilmember Streeter stated that he would talk to City Engineer/Public Works Director Michael Geisel on the curb cut issue.

Chair Brown stated that she wants something from public works on the curb cut issue in the record.

Councilmember Streeter stated that he feels the required traffic study relative to the fast food use should require approval of the City Council.

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

- \*III. P.Z. 11-99 Swingley Ridge Development II, L.L.C. (Nardin Tract): A request for a change in zoning from "R-2" Residence District to "PC" Planned Commercial District for a 4.6 acre tract of land located on the west side of Nardin, approximately 300 feet north of Swingley Ridge Road. (Locator Numbers: 18S-51-0229, 18S-51-0021 and 18S-23-0158)**

Proposed uses:

- Office or office buildings, stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind are being offered for sale or hire

- to the general public on the premises, restaurants - sit-down;
- The uses of stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind are being offered for sale or hire to the general public on the premises shall be ancillary to the office uses and shall be focused to the interior of the office building, with the exception of the use - restaurants - sit-down.

Assistant Director of Planning Laura Griggs-McElhanon described the request to rezone from "R-2" 15,000 square foot Residence District to "PC" Planned Commercial District. The proposed development will have access from Swingley Ridge through the currently undeveloped Swingley Ridge I project. In addition, the Preliminary Plan depicts access from Nardin Road.

There was discussion by the Committee including: impact on the surrounding residential neighborhood; desire of neighborhood to go commercial; deed restrictions; Nardin Drive improvements and timing of same; cross access to the north; and need to obtain comments from Chesterfield Fire Protection District relative to possible elimination of access to Nardin Road.

Assistant Director of Planning Laura Griggs-McElhanon clarified that the Department recommended denial of this petition, and the Planning Commission, by a vote of 7 to 0 to 2, recommended approval.

Bob Brinkmann, petitioner, stated that the access to Nardin would probably be put in. He stated that the deed restriction prohibiting commercial, which has been removed from Plat 1 and will expire in Plat 2 in 2004/2005. He advised the Committee that he had met with many of the owners in the subdivision last year in conjunction with the Swingley Ridge I project. Relative to cross access to the north, he stated that he has no object to this and it could be done if it was close to Nardin Road. He noted that the majority of traffic would come from Swingley Ridge.

There was discussion between the Committee, staff and Mr. Brinkmann of the proposed floor area ratio (FAR) and the FAR of other buildings in the area.

Chair Brown inquired how the site was going to adhere to the Tree Ordinance. She noted that the Swingley Ridge I site was going to be mitigated.

Bob Brinkmann responded that they would preserve trees and mitigate. He clarified that underground detention is proposed, and that he will maintain the existing pond on the site. He noted that the proposed retaining wall along Nardin Road has been reduced in length. His intent was to have a corporate campus look to the development.

There was discussion by the Committee including: entrance location on Nardin Road; access from Swingley Ridge; and setbacks.

A motion to approve P.Z. 11-99 was made by Councilmember Streeter and seconded by Councilmember Durrell.

A motion was made by Councilmember Streeter to **amend** Attachment A to add the following condition:

Cross access to the property to the north is required as directed by the City of Chesterfield.

The motion was seconded by Councilmember Casey, and **approved by a vote of 4 to 0.**

A motion was made by Councilmember Streeter to **amend** Attachment A to require Nardin Road and Swingley Ridge access and improvements.

The motion was seconded by Chair Brown.

Bob Brinkmann stated that he would like the curb cut on Nardin, but if will be expensive to reconstruct the street, he doesn't want to have to do the roadwork.

A motion was made by Councilmember Streeter to **amend** the amendment to require access on Nardin unless there is a valid engineering reason to prohibit it.

**Motion dies for lack of a second.**

Staff was directed to check with the Chesterfield Fire Protection District to find out if there would be a problem with no access to Nardin.

A motion was made by Councilmember Streeter to **amend** the amendment to: require access to Nardin. If Public Works determines this access is not engineeringly possible, it will not be required. The developer is responsible for making half-width improvements to Nardin or pay into cash escrow for same.

**Motion dies for lack of a second.**

Staff was directed to clarify with Public Works as to why they want full width improvements on Nardin.

Chair Brown **withdrew her second** to the original motion for amendment.

Councilmember Durrell seconded the original motion for amendment.

There was general discussion concerning access.

The motion to amend **failed by a vote of 2 to 2**, with Councilmember Casey and Chair Brown voting no.

The original motion, as amended, **was approved by a vote of 3 to 1**, with Councilmember Streeter voting no.

**Note: Two bills relative to this matter will be needed for the July 19, 1999, City Council Meeting (one as recommended by the Planning Commission, and one as recommended by the Planning & Zoning Committee).**

**SEE Bill # (as recommended by the Planning Commission)**

**SEE Bill # (as recommended by the Planning & Zoning Committee)**

**IV. Senior Residence District;** This item was sent back to Committee by Council to address outstanding concerns.

Director of Planning Teresa Price advised the Committee that nothing has been prepared by staff relative to this matter and she inquired if the Committee would like staff to look at each of these items.

There was general discussion by the Committee including: density; the proposed Sunrise development; site coverage; appropriate use; size of buildings; size of units; buffers; and, allowable commercial uses.

**V. Personnel;** Proposal to re-establish Planning Technician position for code enforcement purposes.

A motion to **approve** this request was made by Councilmember Casey and seconded by Chair Brown.

Councilmember Streeter inquired as to why this did not go to the F&A Committee.

Chair Brown stated that the P&Z Committee are supposed to know the needs of the Department.

Director of Planning Teresa Price clarified that the request is for an immediate position to work on zoning approvals and zoning violations. She handed out a summary of violations and zoning approvals for 1998 and January through May of 1999. As indicated in this information, zoning approvals are up this year over 1998.

Councilmember Streeter stated that the Committee has to be fiscally responsible. In addition, the benefits need to be added into the proposed salary for the full impact of this position.

Chair Brown inquired if this person could they do restaurant glove inspections.

There was discussion by the Committee concerning exactly what the position would be responsible for, why the position was needed, what would be the cost of the position including benefits, and the need for continuity in violations.

Councilmember Casey stated that he thinks we need the person.

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Councilmember Streeter requested that City Administrator Michael Herring attend the F&A meeting to explain why he now supports this position.

Councilmember Casey stated that this individual should be accessible to City Council members.

Chair Brown advised the Committee that there will not be an F&A Committee meeting prior to the next City Council meeting.

Councilmember Streeter stated that staffing decisions should be made at F&A Committee because this is a budget item.

Councilmember Casey stated that the staffing of the Planning Department has to be looked at by the P&Z Committee.

Councilmember Casey **called the question.**

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

Chair Brown requested that Councilmember Streeter ask Finance Director Jan Hawn to put on the F&A agenda that staffing matters should go to F&A beginning with the next staffing matter.

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, July 22, 1999.

**The meeting adjourned at 7:55 p.m.**