

## MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Mike Geisel, Director of Planning & Public Works

SUBJECT: Planning & Zoning Committee Meeting Summary  
**August 23, 2007**

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held on Thursday, August 23, 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 Mayor John Nations; Councilmember Lee Erickson, (Ward II); Councilmember Bob Nation (Ward IV); Maurice L. Hirsch, Jr., Planning Commission Chair; Rob Heggie, City Attorney; Mike Herring, City Administrator; Mike Geisel, Director of Planning & Public Works; Annissa McCaskill-Clay, Assistant Director of Planning; 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 August 9, 2007 Planning and Zoning Committee Meeting Summary

**Councilmember Durrell made a motion to approve the Meeting Summary of August 9, 2007, as amended below: (amendment shown in red)**

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Councilmember Hurt and Councilmember Geiger indicated their preference to follow the standard procedure of having two readings **at separate meetings** on the petition. It was agreed that two readings would be held.

The motion was seconded by Councilmember Geiger and **passed by a voice vote of 4 to 0.**

## II. OLD BUSINESS

- A. **Bill No. 2569 – Rules/Regulations re: Wireless Telecommunications Facilities:** A request for repeal of City of Chesterfield Ordinance 1214, and replacing it with a new ordinance establishing rules and regulations for the siting, construction and modification of wireless telecommunications facilities.

Chair Fults stated that Bill No. 2569 was sent back to the Planning & Zoning Committee from City Council. She noted that comments from representatives of the cell tower industry had been forwarded to the Committee members.

Mr. Craig S. Biesterfeld, Blackwell Sanders Peper Martin LLP, representing the Missouri/Kansas Wireless Infrastructure Association, suggested that a workshop be set up with the Committee members and representatives from the wireless industry to discuss some of the concerns the Association has with the proposed telecommunications ordinance. The Committee agreed that a workshop is not necessary as they felt the issues could be worked out at the Committee level.

It was noted that the main concerns from the wireless industry relate to:

- Public Hearing
- Stealth Design
- Application Fees
- Performance Security Bond
- Tower Height Limit
- Requirements for Older Building Support
- Reasons for Application Denials

It was agreed that Mr. Biesterfeld would submit proposed changes to the ordinance to City Attorney Heggie by Friday, August 31, 2007. This deadline would allow ample time to get the proposed language out to the residents and Committee members before the next meeting. It was suggested that the proposed changes be submitted in a “side-by-side comparison” format - showing the language from proposed Bill #2569 on one side of the chart and the industry’s proposed amendments/comments on the opposite side of the chart.

Councilmember Erickson asked for information on how the proposed ordinance would, or would not, affect the small business segment of the wireless industry.

Councilmember Hurt stated he was especially interested in comments regarding the technical aspects of the ordinance – such as tower height and structure.

**Councilmember Geiger** made a motion to hold **Bill No. 2569 – Rules/Regulations re: Wireless Telecommunications Facilities** until the **September 6<sup>th</sup> Planning & Zoning Committee Meeting**. The motion was seconded by **Councilmember Durrell** and **passed** by a voice vote of **4 to 0**.

### III. NEW BUSINESS

- A. **Saturn of West County (Long Road Crossing)**: A Site Development Section Plan, Architectural Elevations, Landscape Plan and Lighting Plan for a 5.34 acre parcel zoned “PC” Planned Commercial located at the northwest corner of the intersection of Long Road and Chesterfield Airport Road.

#### **Staff Report**

**Ms. Jennifer Yackley**, Project Planner, gave a PowerPoint Presentation and stated the following:

- The site-specific ordinance for Long Road Crossing has Automatic Power of Review.
- The Planning Commission approved the subject plans by a vote of 5 to 3 with one amendment. The amendment requires that 7 of the 20 proposed evergreen trees be of a variety other than white pine. The Petitioner has now proposed 7 red pines and 13 white pines.
- The entrance points to the site match up with the overall Concept Plan for Long Road Crossing.
- Additional landscaping has been provided on the site.
- The Lighting Plan adheres to all aspects of the City’s Lighting Ordinance.
- **Elevations:**
  - **Red Horizon:** When elevations were presented to the Architectural Review Board (ARB), two red horizons were presented – one has since been removed.
  - **Building Materials:** Originally the building was to be constructed with aluminum paneling in the color of “Sheep’s Wool”. ARB suggested that the building materials be something other than aluminum paneling. The Petitioner has since changed the building materials to masonry on the front of the building with split-face concrete blocks for the remaining three facades in the “Sheep’s Wool” color.
  - **Service Bay Doors:** When the glass, time-controlled service bay doors were presented to ARB, they were presented as overhead doors. As a result of ARB comments about the doors, the Petitioner presented glass, timer-controlled bi-fold doors to Planning Commission. Planning Commission was not as concerned about how the doors opened as they were concerned about the screening of the doors. Because the bi-fold doors are a premium item, the

Petitioner has gone back to the glass, timer-controlled overhead doors with increased landscaping for screening the doors. The landscaping is a mix of evergreen and deciduous trees.

- Staff has no open issues.

### **Planning Commission Report**

Planning Chair Hirsch reported that at the Public Hearing a prototype General Motors/Saturn building was presented. At that time, concerns were expressed by the Commission. It was pointed out that the building would need to fit in with the character of Chesterfield with respect to building materials, style, screening of the service bay doors, etc.

The building presented to ARB was very similar to the Saturn prototype building. At that time, ARB expressed those concerns enumerated by Ms. Yackley.

At the July 23<sup>rd</sup> Planning Commission meeting, the Site Development Section Plan was held to give the Petitioner time to respond to issues raised by the Commission. At the August 13<sup>th</sup> Commission meeting, it was approved by a vote of 5 to 3.

Some of the Commissioners felt that the following issues had not been fully addressed by the Petitioner:

- The horizon and the bright red color being proposed – Chair Hirsch noted that the color is a trade dress issue.
- The window box – Chair Hirsch noted that there was the question of whether this constituted a wall sign.
- Painted masonry vs. masonry in the desired color without it being painted
- Night-time illumination of the red horizon – It had not been clarified as to whether it would be fully illuminated or whether it would be a shadow illumination.

## **DISCUSSION**

### **Painted Masonry**

Councilmember Hurt did not agree with the proposed painted masonry – he preferred split-face block of quality material on all sides. He noted that painted brick has a tendency to flake over time.

Mr. Michael Bauer, Bauer & Associates/Architects – representing the Petitioner, stated that they are willing to re-specify the painted brick to an integral-colored brick to match the proposed “Sheep Wool’s” color. The Petitioner does not want to have split-face block on all four sides – they want the integral-colored brick on the front elevation because they feel it is “better textured, more customer-friendly, and a better look”.

Councilmember Hurt requested the specifications of the unpainted brick and the split-face block which will be used on the building. Chair Fults asked Mr. Bauer to provide the specifications to City Administrator Herring.

### **Screening of the Doors/Service Reception Area**

Councilmember Hurt prefers how the Hummer dealership has screened its doors with a curved wall vs. the proposed landscaped screening for the Saturn dealership. He noted that the timers on the doors can be by-passed and expressed concern that the doors would be left open during the summer months.

It was pointed out that the timer-controlled doors are to the service reception area – not the actual service bays. The vehicles will not be worked on in the service reception area - all the work on vehicles takes place in the rear of the building.

Mr. Bauer felt that the landscaping screens the doors better than the Hummer dealership is screened from the adjacent roadway.

Ms. Jackie Dunne, Saturn, stated that Saturn has approximately 45-50 customers/day spread over 8-9 hours. There is not a long line of vehicles waiting to enter the service reception area. This area is where the vehicles are checked in. After being checked in, the vehicles are sent to a service bay or put back out on the lot. It was noted that the service reception area will not be air-conditioned.

### **Red Horizon**

Councilmember Hurt said he did not understand the importance of the red horizon.

Mr. Bauer explained that as one enters the building, there is a two-story atrium. The sign is on the rear wall inside the building and is seen by customers as they enter the building. The sign is lit inside the building. According to the Chesterfield Sign Ordinance, it fits the definition of a “window sign” and is not part of an exterior signage element. They feel that the red horizon is an architectural element and is Saturn’s new national branding.

Mr. Geisel, Director of Planning & Public Works, clarified that the window box is signage and will be reviewed as signage. Because it is interior window signage, it is not subtracted from the amount of wall signage allowed.

Councilmember Hurt expressed concern that the red horizon may detract from the color palette being used in the Valley. Chair Fults noted that the Valley includes bright colors on red roofs, the Galaxy Theater, Bob Evans Restaurant, and the Best Buy store.

Mayor Nations stated that he likes the look in The Commons; but he does not feel the same look needs to apply to the entire Valley.

Chair Fults felt it was important that the Saturn dealership be coordinated with the other buildings in the same development. She noted that this whole area has a different look from The Commons and other parts of the Valley.

Councilmember Durrell stated she likes the differences in the buildings, which makes it easier for customers to identify when looking for a particular building. She suggested that the red color be more subdued in its color.

A sample of the red horizon material was shown to the Committee.

### **Open Space**

Open space for the site is 31% vs. the required 30%.

**Councilmember Geiger made a motion to forward the Site Development Section Plan, Architectural Elevations, Landscape Plan and Lighting Plan for Saturn of West County (Long Road Crossing) to City Council with a recommendation to approve. The motion was seconded by Councilmember Durrell.**

### **Amendments to the Motion**

**Councilmember Hurt made a motion to amend the motion requiring masonry with integral color of quality material; specifications for the masonry and split face block are to be supplied for review by Council. The motion was seconded by Councilmember Durrell and **passed** by a voice vote of 4 to 0.**

**Councilmember Hurt made a motion to amend the motion to provide screening in front of the doors similar to the wall screening provided by the Hummer dealership. The motion **died** due to the lack of a second.**

The motion to approve, as amended, **passed** by a voice vote of 3 to 1 with Councilmember Hurt voting “no”.

**Note: This is a Site Development Section Plan which requires approval by City Council. A voice vote will be needed at the September 5, 2007 City Council Meeting.**

**[Please see the attached report, prepared by Mike Geisel, Director of Planning & Public Works, for additional information on Saturn of West County (Long Road Crossing).]**

## **B. Architectural Review**

Mr. Geisel asked for direction from the Committee with respect to what sort of architectural guidance/review City Council would like to incorporate into the review of projects. He noted that Staff cannot develop Architectural Review Guidelines until the Council provides direction on the scope of architectural review that is required. He stated that Staff could develop some recommendations for Council's consideration clarifying ARB's role.

General discussion was held on the advisory role of the Architectural Review Board and architectural review on projects.

Councilmember Hurt felt that ARB should review the quality of buildings being proposed and should keep the proposed colors from being "too garish". He feels the current process is working fine.

Mayor Nations suggested that the tie between City Council and ARB be strengthened so there is more of a direct connection rather than a two-step process going through the Planning Commission.

Discussion was held on Automatic Power of Review and whether Council wants to require Power of Review on all Attachment A's.

It was noted that ARB minutes have been requested by the Committee but they have only received minutes on projects being reviewed by the Committee. It was suggested that the ARB comments be forwarded to the Committee at the same time they are forwarded to the Planning Commission.

**Councilmember Geiger made a motion directing Staff to review the scope, authority, and mission of ARB; and to make recommendations to the Committee regarding overall architectural review. The motion was seconded by Councilmember Durrell and **passed by a voice vote of 4 to 0.****

## **IV. ADJOURNMENT**

The meeting was adjourned at 7:03 p.m.