

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: August 25, 2000

SUBJECT: Planning and Zoning Committee Meeting Summary from August 24, 2000

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, August 24, 2000, in the City Council Conference Room. In attendance were: Chair Dan Hurt (Ward III); Councilmember Jane Durrell (Ward I); Councilmember John Nations (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Councilmember Mike Casey (Ward III); City Attorney Doug Beach; Planning Commission Chair Fred Broemmer; Teresa Price, Director of Planning; Matt Brandmeyer, Project Planner; Mike Hurlburt, Project Planner; Paul DeLuca, Project Planner; John Wagner, Project Planner; and Kathy Lone, Executive Secretary/Planning Assistant.

*To be discussed at 9/18/2000 City Council Meeting.

Chair Hurt called the meeting to order at 5:30 p.m.

Councilmember Nations made a motion to adjourn the meeting to go into Executive Session (closed meeting) for the purpose of discussing RSMo 610.021(1) 1994 litigation. The motion was seconded by Councilmember Brown. A roll call vote was taken with the following results: Ayes – Durrell, Nations, Brown and Hurt. The motion was declared passed.

The meeting adjourned into Executive Session at 5:32 p.m.

The meeting reconvened at 5:45 p.m.

I. Approval of Planning and Zoning Committee Meeting Summary of July 20, 2000.

Councilmember Nations made a motion to approve the Meeting Summary of July 20, 2000, as amended. The motion was seconded by Councilmember Brown and passes by a vote of 3 to 0. (Councilmember Durrell abstained.)

VIII. St. Luke's Hospital CUP Amendment; An amendment to the City of Chesterfield Conditional Use Permit (CUP) Number 10 for St. Luke's Hospital located on land at the northeast corner of Conway Road and Woods Mill Road commonly known as 232 South Woods Mill Road. The subject property is zoned "NU" Non-Urban and "FPNU" Flood Plain Non-Urban.

Director of Planning Teresa Price gave an overview of this petition and clarified what the Planning Commission approved.

Chair Hurt stated that the residents who spoke at Planning Commission were more concerned with what St. Luke's Hospital would do next than with the parking garage.

Chair Hurt gave the Committee a few minutes to review a letter received from Mayor Richard Mange of Town & Country which stated his recommendations.

Mr. Ozzie Smith, representing residents of Pointe Conway Subdivision, stated that he was not notified of the changes to St. Luke's Hospital. Mr. Smith stated that moving the setback to 200 feet of the residents would create traffic problems, cause a security issue and lower property values. Mr. Smith stated that the residents would not object to the project if the setback remained at 600 feet.

Ms. Price stated that this CUP amendment did not require notifying adjacent property owners. This was done at the request of the Planning Commission. The notification list did include Mr. Smith.

Mr. John Young, attorney representing Board members of the Pointe Conway Subdivision, stated that residents do not think there has been adequate notice to the affected property owners. Residents think there should be a public hearing because the requested conditional amendments are not consistent in purpose and content with the nature of the proposal as originally advertised for the public hearing. Mr. Young stated that the 600-foot setback has provided a buffer for 28 years between the hospital and the residents. Issues discussed by Mr. Young: In moving the setback line, a 3-story parking garage would now be constructed; the Planning Commission required an island to be created where the setback is not going to be moved; lights that point downward; bringing the commercial aspect of the hospital into the residential area; the setback has been there for the protection of the residential properties to the east. Mr. Young stated the following planning standards in the ordinance have to be consistent with good planning practice:

1. In the past, the setback has existed;
2. It looks like it will be a detriment to the traffic on Conway Road and the rear entrance on Conway Road which had been just a surface lot before. With the oncology addition, this will cause Conway Road to become a primary access equal to Woods Mill because of the number of cars that could park there. Now the rear entrance will be a primary entrance;
3. A 2-story parking garage 200 feet from the properties would not be visually compatible. The problem is the setback. There is more property on the parcel to the south and west that could be used for development since there is no residential in this area;
4. Is it deemed essential or desirable to public health, safety and general welfare? The residents are concerned about safety. There have been burglaries of properties to the north and in Ladue Farm Estates that the police believe have occurred off the parking lots that exist at St. Luke's Hospital. This will draw more people into the area.

Mr. Young stated that since 1985, there has not been a traffic study of Conway Road. A traffic study should be requested of St. Luke's Hospital in order to review the impact on the residents.

Mr. Stuart Vogelsmeier, attorney for St. Luke's Hospital, stated that there was never an intent to do anything behind the resident's back. Mr. Vogelsmeier stated that St. Luke's Hospital is unaware of any security issues. St. Luke's Hospital is using the existing surface parking and adding a 3-level

parking structure that is sunk down so that approximately 10-12 feet of it will be out of the ground. No green space is being taken.

Mr. Steve Hartke, architect, stated that additional berms or landscaping could be added. The petitioner understands that they would pay for signalization on Conway Road if required and is willing to do a traffic study.

General discussion followed.

Councilmember Brown stated that she would not be at the next Planning & Zoning Committee meeting so if this petition proceeds to City Council, she wants it denied. She does not have a problem with holding but does not want it to go to City Council. Councilmember Brown stated that a traffic study could be requested but she feels that the issue is the reduction of the setback. Councilmember Brown stated that if a 400-foot setback would be acceptable to the residents, she would support it but currently is uncomfortable with the present setback request.

Councilmember Brown expressed concern with the lighting on the top level of the parking garage.

Chair Hurt encouraged the petitioner to meet with the residents, Teresa Price and himself and to concentrate on a traffic study on the Conway Road access.

Chair Hurt made a motion to put this on the next Planning and Zoning Committee agenda, incorporate the comments from Mayor Mange of Town and Country into Attachment A except for the Conway Road access, ask the petitioner to have a traffic study done by the next meeting, bring back a proposal with a 400-foot setback, rotating the garage and reduce the setback from Conway Road, if necessary. The motion was seconded by Councilmember Brown and **passes by a voice vote of 4 to 0.**

Chair Hurt stated that the motion would place this petition on the Planning & Zoning Committee Meeting agenda of September 7, 2000 and then the September 18, 2000 City Council meeting.

***IX. P.Z. 19-2000 Bluestone Commons Inc. (Chesterfield Commons);** An amendment to the City of Chesterfield Ordinance Number 1344, as amended, revising the permitted uses to include "filling stations," "vehicle washing facilities," and "vehicle service centers" in the "C-8" Planned Commercial District. Located between the Sachs Electric Facility and the McBride Building on the north and south side of Chesterfield Airport Road.

Ms. Price gave an overview of this petition and stated that the Planning Commission made five (5) changes. Ms. Price presented a handout from the petitioner's attorney, Mr. Mike Doster.

Planning Commission Chair Fred Broemmer reviewed the Commission's reasons for their changes.

General discussion followed concerning the lighting.

Chair Hurt expressed concern with the vacuum islands and trash enclosures visible along Highway 40.

Councilmember Brown asked Mr. Randy Burkett, a lighting expert, for the acceptable level of lighting.

Mr. Burkett stated that there are five (5) issues for the lighting design for this type of use. They are:

1. Any applicable local ordinances or covenants;
2. Recommendation of professional societies (IESNA);
3. Surrounding and competitive light levels (how much light is in the area);
4. How other similar facilities in the area are lighted;
5. Consider the comments of the manufacturer of the canopy and petroleum equipment.

Mr. Burkett suggested using 30-foot candles. With using the proper equipment, there would be very little spill light localized under the canopy and on the pumps. Mr. Burkett suggested using 5-foot candles in the vehicular and parking area.

Mr. Rusty Saunders, landscape architect, stated that 4" caliber trees are not much different than the 3" caliber trees in regards to screening. The problem would be availability and matching up with the landscape effect that has been created throughout the development.

Councilmember Nations made a motion to forward **P.Z. 19-2000 Bluestone Commons Inc. (Chesterfield Commons)** to the City Council with the recommendation of approval. The motion was seconded by Councilmember Brown.

Councilmember Casey left the meeting at 7:00 p.m.

Chair Hurt made an amendment to the motion that the Landscape Plan shall reflect a two (2) to three (3) foot berm along the Highway 40 frontage. Plantings on the berm shall be flowering shrubs. The amended motion was seconded by Councilmember Brown and **passes by a voice vote of 4 to 0.**

Councilmember Brown stated that she would make an amendment on a light recommendation at City Council.

The original motion, as amended, was approved by a voice vote of 4 to 0.

Note: Two bills relative to this matter will be needed for the September 18, 2000 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)

- *V. **P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates)**; a request for a rezoning from "NU" Non-Urban District and "FPNU" Flood Plain Non Urban District to "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District for a 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

AND

- *VI. **P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates)**; a request for a Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District for the same 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

Project Planner John Wagner gave an overview of these petitions. Mr. Wagner stated that the Planning Commission approved these petitions and the development is required to dedicate the necessary right-of-way for this proposed northward extension of Missouri Route 141, at no cost, as depicted on the attached exhibit and legal description.

General discussion followed about the dedication for the 141 Extension.

Councilmember Nations made a motion to approve **P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates)** and **P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates)** and forward to the City Council. The motion was seconded by Chair Hurt.

Councilmember Durrell stated that she likes the project but her preference is that the petitioner waits until it is known where the 141 Extension is going to be.

Councilmember Brown made an amendment to the motion that each property owner is required to sign a disclosure statement that they are aware of the probable location of the future 141 Extension until such time as the highway is complete. The amendment to the motion was seconded by Councilmember Nations and **passes by a voice vote of 4 to 0.**

The amended motion was voted on and passes by a voice vote of 3 to 1. (Councilmember Durrell voted nay.)

Note: Two bills relative to this matter will be needed for the September 18, 2000 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)

***III. P.Z. 42-1999 G.H.H. Investments, L.L.C.:** A request for a change in zoning from "M-3" Planned Industrial District to "PC" Planned Commercial District for a 2.96 acre tract of land located on Long Road, 1,000 feet south of Chesterfield Airport Road.

Project Planner Mike Hurlbert gave an overview of this petition and stated that Planning Commission approved this petition by a vote of 9 to 0. Mr. Hurlbert stated that the access issue with St. Louis County Highways was resolved. Mr. Hurlbert stated that now there is a right in/right out access on Long Road.

General discussion followed.

Mr. Brett Hardesty, petitioner, stated that currently there are three (3) curb cuts. If the Fire District moves to the Spirit Airport on Chesterfield Airport Road, two (2) curb cuts will not be needed. The curb cuts are already existing.

General discussion followed about the number of curb cuts for the development.

Councilmember Brown made a motion to approve **P.Z. 42-1999 G.H.H. Investments, L.L.C** and forward to the City Council. The motion was seconded by Councilmember Durrell and **passes by a voice vote of 4 to 0.**

Chair Hurt stated that he voted for this petition but may change his mind when this petition goes to the City Council.

**Note: One bill relative to this matter will be needed for the September 18, 2000 City Council Meeting.
SEE Bill #**

***VII. Montessori Children's House C.U.P. Amendment;** an amendment to the City of Chesterfield Conditional Use Permit (CUP) Number 600 for Montessori Children's House located on the south side of Ladue Road, east of Saylesville Drive.

Project Planner John Wagner gave an overview of this petition. The petitioner for Montessori is adding an addition to the building. The west drive will become 'in only' for dropping off children and the east drive will remain an 'in/out drive.'

Councilmember Nations made a motion to approve **Montessori Children's House CUP Amendment** and forward to City Council. The motion was seconded by Councilmember Durrell and **passes by a vote of 4 to 0.**

Ms. Price stated that the Department of Public Works is determining whether detention is needed. This petition will not be forwarded to City Council until this determination is made.

Note: Motion to Receive and File. No ordinance necessary. Will become effective within 15 days.

III. P.Z. 36-1999 City of Chesterfield; A proposal to amend Section 1003.140 "PC" Planned Commercial District of the City of Chesterfield Zoning Ordinance.

Project Planner Matt Brandmeyer gave an overview of this petition. The Planning Commission approved this petition with the exception that the Valley be excluded.

General discussion followed.

Chair Hurt questioned whether the Planning Commission intent was that approval should be by a majority or a 2/3 vote by the City Council.

Councilmember Brown made a motion to approve P.Z. 36-1999 City of Chesterfield and forward on to City Council. The motion was seconded by Councilmember Durrell.

General discussion followed.

Councilmember Nations asked for an opinion from City Attorney Doug Beach on whether the City Council could not deviate from the standards under this ordinance.

Councilmember Brown made an amendment to the motion that would require a 2/3 vote of the Planning Commission or a majority of City Council. The amendment to the motion was seconded by Councilmember Nations.

General discussion followed about the Planning Commission intent.

Councilmember Brown withdrew her amendment to the motion.

Councilmember Brown withdrew her original motion.

Councilmember Nations made a motion to hold this petition until the next Planning and Zoning Committee meeting pending input from the Planning Commission. The motion was seconded by Councilmember Brown and passes by a voice vote of 4 to 0.

Ms. Price will confer with Mr. Beach.

II. P.Z. 43-1999 SSM Health Care Central Region: A request for a change in zoning from "C-8" Planned Commercial District to "PC" Planned Commercial District for a 23.973 acre tract of land located on South Outer Forty, with frontage on Chesterfield Parkway East, approximately 400 feet east of Clarkson Road/State Highway 340. (Locator Numbers: 18S22-0171, 18S22-0148, 18S22-0061)

Councilmember Nations stated that, in light of the provision in the Zoning Ordinance that

requires applications of this type, there is a request to withdraw this type of application and to be passed on by the Planning Commission.

Councilmember Nations made a motion that **P.Z. 43-1999 SSM Health Care Central Region** be referred back to the Planning Commission so that the Planning Commission may entertain the request to withdraw the proposal. The motion was seconded by Chair Hurt and **passes by a voice vote of 4 to 0.**

XI. Chesterfield Comprehensive Plan Update – Direction to Begin RFP Process

Chair Hurt made a motion to begin the RFP Process for a Comprehensive Plan Update. The motion was seconded by Councilmember Nations and **passes by a voice vote of 4 to 0.**

X. Escalating Fines for Violations

Chair Hurt stated that this item would be on the next Planning and Zoning Committee agenda.

XII. Pending Projects/Departmental Update

XIII. Other: The Planning and Zoning Committee will consider and act upon the matters listed above, and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

Councilmember Nations made a motion to adjourn the meeting. The motion was seconded by Councilmember Durell and **passes by a voice vote of 4 to 0.**

The meeting adjourned at 8:30.

TJP/kl