

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning ✓

DATE: September 14, 1999

SUBJECT: Planning and Zoning Committee Meeting Summary from September 9, 1999

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, September 9, 1999, in the City Council Chambers. 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: Mayor Nancy Greenwood – arrived later; Councilmember Dan Hurt (Ward III); Planning Commission Chair Dan Layton; City Attorney Doug Beach; Teresa J. Price, Director of Planning; Laura Griggs-McElhanon, Assistant Director of Planning; and, Annissa McCaskill, Planner I.

*To be discussed at 9/22/1999 City Council Meeting.

I. Approval of Planning and Zoning Committee Meeting Summary of August 19, 1999.

A motion to approve the meeting summary of August 19, 1999 was made by Councilmember Streeter and seconded by Councilmember Durrell.

Councilmember Casey noted that the minutes need to reflect that he abstained from voting on the meeting summary of August 5, 1999 because he was not in attendance.

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

II. P.Z. 14-1999 City of Chesterfield; A proposal to amend Section 1003.150 "PI" Planned Industrial District of the City of Chesterfield Zoning Ordinance to allow dry cleaning drop-off and pickup stations and to read as follows:

4. (2) (bb) Laundries and dry cleaning plants, **which include dry cleaning drop-off and pickup stations.** (Additional language has been provided in bold.)

AND

III. P.Z. 15-1999 Beckmann Bros., Inc./Alexander Reed Cleaners; A request for a change in zoning from "C-7" General Extensive Commercial District to "PI" Planned Industrial District for a 2.67 acre tract of land located on Chesterfield Airport Road, east of the Baxter Road extension. Proposed uses:

- Business service establishments;
- Cafeterias for employees and guests only;
- Laundries and dry cleaning plants, which include dry cleaning drop-off and pickup stations;

- Offices or office buildings;
- Plumbing, electrical, air conditioning and heating equipment sales, warehousing and repair facilities;
- Restaurants, sit down;
- Sales, servicing, repairing, cleaning, renting, leasing and necessary outdoor storage of equipment and vehicles used by business, industry and agriculture;
- 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 premises;
- Warehousing, storage or wholesaling of manufactured commodities;
- Or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.

Planner I Angela McCormick described P.Z. 14-1999, a request to amend the Zoning Ordinance to allow dry cleaning drop-off and pick-up stations in the "PI" Planned Industrial District, and P.Z. 15-1999, a request to rezone the Beckmann Brothers building from "C-7" General Extensive Commercial to "PI" Planned Industrial District.

There was general discussion concerning the necessity of the amendment to the Zoning Ordinance (P.Z. 14-1999).

A motion to **approve** P.Z. 14-1999 was made by Councilmember Streeter, seconded by Councilmember Durrell, and **approved by a vote of 4 to 0**.

**Note: One bill relative to P.Z. 14-1999 will be needed for the September 22, 1999, City Council Meeting.
SEE Bill #**

There was general discussion by the Committee and Councilmembers, including: appropriateness of requested uses (sit down restaurants, plumbing shop, outdoor storage); potential historical district and historical character of area; and, smells from the dry cleaning plant

Planning Commission Chair Dan Layton advised the Committee that the Commission was concerned about the "odor issue" and the owner assured them that there would be no problem because of state and federal regulations.

A motion was made by Chair Brown to **amend** page 5 of Attachment A to change "pastoral" to "historical".

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

There was general discussion by the Committee and Councilmembers, including: number of accesses onto Chesterfield Airport Road; and, walking trail/easement rights to allow pedestrian connection from the Valley to the Central City Park.

A motion was made by Councilmember Streeter to **amend** page 4 of Attachment A to add a requirement for street lights to be added which will be in keeping with the historical character of the area, as approved by the Planning Commission.

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

A motion to **approve P.Z. 15-99, as amended**, was made by Councilmember Durrell, seconded by Councilmember Casey, and **approved by a vote of 4 to 0**.

Note: Two bills relative to this matter will be needed for the September 22, 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. **P.Z. 38-98 Swingley Ridge Development, L.L.C.**; request for an amendment to City of Chesterfield Ordinance Number 1495, the governing "PC" Planned Commercial District Ordinance for Swingley Ridge I; north side of Swingley Ridge Road, west of Olive Boulevard.

V. **P.Z. 11-99 Swingley Ridge Development II, L.L.C.**; request for an amendment to City of Chesterfield Ordinance Number 1536, the governing "PC" Planned Commercial District Ordinance for Swingley Ridge II; west side of Nardin Drive, north of Swingley Ridge Road.

Assistant Director of Planning Laura Griggs-McElhanon described the request to amend Swingley Ridge I to increase the total square footage, allow a parking structure and allow a zero foot parking setback from Swingley Ridge II, and the request to amend Swingley Ridge II to allow a zero foot parking setback from Swingley Ridge I. She advised the Committee that subsequent to the Commission meeting, clarification was obtained from the Department of Public Works which has resulted in a recommendation to amend Attachment A as stated in the Department memo dated September 9, 1999 relative to drainage.

A motion was made by Councilmember Casey to **approve P.Z. 38-98**, as recommended by the Planning Commission, and revised per staff memo dated September 9, 1999.

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

Note: Two bills relative to this matter will be needed for the September 22, 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)

A motion was made by Councilmember Casey to **approve P.Z. 11-99**, as recommended by the Planning Commission, and revised per staff memo dated September 9, 1999.

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

Note: Two bills relative to this matter will be needed for the September 22, 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)

VI. North Outer Forty Trust Fund; Proposal to establish trust fund for road improvements on North Outer Forty.

City Attorney Doug Beach discussed this proposal with the Committee and Councilmembers. At this time, the City does not have confirmation from the County Highway Department that money collected for their Trust Fund would be used for the improvements considered in conjunction with the Sachs and Vitt rezoning petitions. Establishing the City Trust Fund would assure the funding for these improvements. An Exhibit B still needs to be prepared, as referenced in the legislation.

There was extensive discussion by the Committee, Councilmembers and City Attorney on this issue, including: moving the northern boundary line on the map so that Conway Road was not included; including a reference to making North Outer 40 two-way; access to westbound 40; cost for roadway improvements; requiring contribution to St. Louis County Trust Funds in the conditions of development; timing of road improvements; street lighting along the Outer Roads; and, clarifying funds are not to be used for improvements to Conway Road.

A motion was made by Councilmember Streeter to **amend** the proposed legislation as follows:

1. map change: move northern boundary line to the centerline of Conway Road;
2. include reference in second WHEREAS "making North Outer 40 two-way and access to westbound 40"; and,
3. add new WHEREAS: "WHEREAS funds are not to be used for improvements to Conway Road".

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

Mayor Greenwood arrived at this time.

A motion to approve this matter, as amended, was made by Councilmember Durrell, seconded by Councilmember Casey, and **approved by a vote of 4 to 0**.

Note: One bill relative to this matter, to be prepared by the City Attorney, will be needed for the September 22, 1999, City Council Meeting.

SEE Bill #

VII. 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 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.

VIII. P.Z. 32-98 Conway Land Company (Chesterfield Corporate Campus); a request for a rezoning from "NU" Non-Urban District to "PC" Planned Commercial District for twelve (12) parcels of land located at the intersection of Chesterfield Parkway North, Conway Road and North Outer Forty Road. Proposed Uses:

- Offices or office buildings.

Director of Planning Teresa Price discussed the specifics contained in the development standards for P.Z. 30-98 Sachs Properties, which includes: height; buffer; setbacks; parking structures; no permitted uses changed; FAR; 168,000 square feet requested; increase of parking ratio to 4 spaces per 1000 square feet; pedestrian circulation; parking structure facades; Design guideline requirements; tree preservation; signage – impact to residential on Conway Road, no visible signage to Conway Road; lighting similar to Solomon (height and requiring some to be turned off at night); Trust Funds – County hasn't committed their Trust Funds for the required road improvements; and, greenspace.

There was general discussion between the Committee and staff, including: 4.2 parking spaces versus 4.0 (the Vitt project has proposed 4.2 since the beginning); max height 70 feet, to be located within 250 feet of the Outer Road; mechanical equipment included in height measurement; one parking structure - limited location and added height; setbacks; parking structure setbacks 1 foot for every 1 foot of height; entrances – to be shared with adjacent project; road improvements; triple left; relocation of roads; and, Trust Funds.

City Attorney Doug Beach advised the Committee that the Trust Fund is the mechanism to have the money available and Attachment A is where the specifics of the road improvements belong. The timing of this is to be as directed by the Director of Public Works.

There was general discussion between the Committee and staff, including: timing of road improvements and timing of projects; and channelization of Schoettler Road (might not be required because of relocation of slip ramp per MoDOT).

Councilmember Hurt left the meeting at 7:20 p.m.

Director of Planning Teresa Price discussed the specifics contained in the development standards for P.Z. 32-98 Conway Land Company, which includes: elimination of the western parking structure (the petitioner is concerned about this); emergency access from Conway Road; FAR; requiring 4.2 parking spaces per 1000 square feet (which was included with the developer's proposal – the developer would like to go to 4.0); building height (the petitioner is concerned about including mechanical equipment in the maximum height); parking structures; plan approval; sky exposure plan plus height restrictions; 2 entrances on the Outer Road; Public Works Director/City Engineer Mike Geisel is willing to require a cash escrow for Conway Road improvements in lieu of the improvements; sidewalk along Conway Road; landscaping; preservation of trees; and, upgrading of downstream stormsewer systems (developer is concerned – PWD/CE Mike Geisel is willing to change this to “any contiguous downstream stormsewer”).

There was general discussion by the Committee and staff, including: what would “contiguous” be (would this include Royalwood - will be clarified at City Council meeting); maintaining rural character of Conway Road; 120 foot strip along Conway – dedication versus permanent easement (developer wants to do a permanent easement); FAR; and, greenspace.

The Chair called a brief recess at 7:50 p.m.

The Chair reconvened the meeting at 8:00 p.m.

Paul Plotas, Larkin Group, traffic consultant for the City of Chesterfield, addressed the Committee. They looked at both traffic studies for these sites. There were concerns about the weaving areas. The issue of a triple left turn was looked at. The developer's traffic consultant used a nationally recognized Traffic Model for this project, which measured weaving lanes. The result was that the weaving areas were found to be acceptable. The assumptions used in the model were the same as those used in the Traffic Study. Larkin Group verified the intersections in the report represented actual conditions and verified traffic counts used (did not take counts). They did not consider cost of solutions.

There was discussion between the Committee and Mr. Plotas, including: relocation access on North Outer 40 Road 500 feet to the east (this will allow better weaving patterns); weaving (allowing enough space for traffic to weave between North Outer 40 traffic and traffic exiting from I-40.); and, Texas U-turns and triple left turns.

Planning Commission Chair Dan Layton advised the Committee that the Commission had four (4) problems with the computer model used:

1. it began west of the subdivisions;
2. the slip ramp had not been moved 500 feet on the model;
3. there was a concern with the count per hour; and,
4. westbound cars weren't addressed.

There was general discussion between the Committee and Mr. Plotas, including: accident statistics for triple left versus double left; analysis on weaving on eastbound I-40; addressing westbound traffic.

Paul Plotas stated that they had looked at westbound traffic and found that 30% of traffic from the development would head west and turn left or right on Chesterfield Parkway. It was found that the cars remained on the Parkway through the limits of the study area (Swingley Ridge to Schoettler Valley). In addition, the study showed no improvements were needed to the intersection.

Planning Commission Chair Dan Layton advised the Committee that the Commission did not agree with the 30% westbound project.

There was general discussion between the Committee and the City Attorney about an area wide traffic study (how traffic generated along the corridor and along the Parkway will effect the Parkway and I-40.)

Chair Brown recognized the following speakers from the audience:

1. Steven Kling, attorney for several subdivisions.
2. Laura Luking, 15021 Conway Road.
3. Jade Bute, 15593 Bedford Forge Drive.
4. Lee Wall, 14759 Plumas Drive.
5. Hefty Hoffman, 14308 Conway Meadows Court East

Assistant Director of Planning Laura Griggs-McElhanon addressed the Committee on the Comprehensive Plan. In February of 1991, the Timberlake commercial rezoning to Conway Road was approved by City Council. Subsequently, two amendments were made to the Comprehensive Plan. The first was to amend the land use designation to change the Attached Single Family designation to Major Office along Conway Road in the vicinity of Timberlake. The second was to add a sentence to the Comprehensive Plan which reads "If offices are developed along I-64/U.S. 40, a substantial landscape buffer should be provided along the south side of Conway Road in order to maintain the residential character of Conway Road."

There was general discussion between the Committee and staff about the Comprehensive Plan.

Steve Koslovsky, attorney for Sachs Properties, addressed the Committee. He stated that Attachment A is not acceptable. The FAR and greenspace requirements make this project unfeasible. In his opinion, there has been no consideration of these projects independent of each other (P.Z. 30-98 and P.Z. 32-98). They are not opposed to the Trust Fund, but they have questions. Staff has scaled down the development but has not changed the road improvement requirements.

City Attorney Doug Beach asked if the petitioner was willing to revise the Preliminary Plan.

Steve Koslovsky replied that they are not willing to revise the Preliminary Plan.

Michael Doster, attorney for Conway Land Company, addressed the Committee. He stated that they have issues with the height of buildings being measured with mechanical equipment; some buildings will have to be relocated; setbacks; compressing the site; the loss of a parking structure, which will require an increase in the surface parking; and, the green space requirement and parking ratio should be in keeping with the Sachs petition.

There was general discussion by the Committee and Mr. Doster, including: allowable square footage; excluding the mechanical equipment from the maximum height; Trust Funds (paying to both County and City of Chesterfield)

Doug Shatto, Crawford, Bunte Brammier, traffic consultant for the Conway Land Development project addressed the Committee on the directional distribution of traffic from the proposed project (20% west to St. Charles County and 10% west to Clarkson). This was submitted to MoDOT and County Highway for their concurrence, which it received. You have to include all of the Metro area when looking at directional distribution. A couple of years ago, CBB did origin and destination studies for Maryville Center and found that 18% of that traffic went west.

There was general discussion by the Committee and Mr. Shatto, including: a regional transportation study; and, Schoettler Road access to eastbound I-40.

There was general discussion by the Committee, including: height of buildings is to be measured above current grade (developer can grade down and have taller buildings); parking lot lighting; and, lighting along North Outer 40.

A motion was made by Councilmember Streeter to forward P.Z. 30-98 with Attachment A to City Council with a recommendation for denial.

Councilmember Streeter **withdrew his motion.**

A motion was made by Councilmember Streeter to forward P.Z. 30-98 with Attachment A to City Council with a recommendation of approval.

Councilmember Streeter **withdrew his motion.**

A motion was made by Councilmember Casey, seconded by Councilmember Durrell, to send P.Z. 30-98 to City Council, with no recommendation from the Planning and Zoning Committee, for their approval or denial.

There was discussion by the Committee and the City Attorney about the Planning Commission's recommendation and the necessity for legislation for this petition.

Councilmember Casey called the question.

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

**Note: One bill relative to this matter will be needed for the September 22, 1999, City Council Meeting.
SEE Bill #**

A motion was made by Councilmember Casey, seconded by Councilmember Durrell, to send P.Z. 32-98 to City Council, with no recommendation from the Planning and Zoning Committee, for their approval or denial.

Councilmember Casey called the question.

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

**Note: One bill relative to this matter will be needed for the September 22, 1999, City Council Meeting.
SEE Bill #**

IX. The Committee will be voting to reassign the responsibilities of the Historic District Task Force to the Historic Commission.

A motion was made by Councilmember Durrell, seconded by Councilmember Casey, to reassign the responsibilities of the Historic District Task Force to the Historic Commission.

It was determined that this item will be discussed at the next Committee meeting.

NOTE: This item will be discussed at the September 23, 1999 Committee meeting.

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, September 23, 1999.

The meeting adjourned at 10:42 p.m.