

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: September 13, 2004

SUBJECT: Planning & Zoning Committee Meeting Summary - **September 9, 2004**

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, September 9, 2004, in Conference Room 101.

In attendance were: **Chair Bruce Geiger** (Ward II); **Councilmember Jane Durrell** (Ward I); **Councilmember Connie Fults** (Ward IV) and **Councilmember Dan Hurt** (Ward III). Also in attendance were Planning Commission Chair Victoria Sherman; Director of Planning Teresa Price; Project Planner Kyle Dubbert; Project Planner Michael Hurlbert; Project Planner Aimee Nassif; and Mary Ann Madden, Planning Assistant.

Chair Geiger called the meeting to order at 5:34p.m.

I. APPROVAL OF MEETING SUMMARY

Councilmember Fults made a motion to approve the Meeting Summary of August 19, 2004 as corrected. The motion was seconded by Councilmember Durrell and **passes by a voice vote of 4 to 0.**

II. OLD BUSINESS – None

III. NEW BUSINESS

- A. **Chesterfield Commons Four Outparcel B (Restaurant and Retail)**: Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations for a restaurant/retail development in Chesterfield Commons Four Outparcel B, zoned “PI” Planned Industrial and located south of Chesterfield Airport Road, east of Public Works Drive at 17408 Chesterfield Airport Road.

Project Planner Kyle Dubbert gave background information on the project. The request is for an 8,000 sq. ft. restaurant/retail building located on a 1.03 acre site. The building will be constructed of brick and the rooftop material will be comprised of EPDM roofing. The

issue of lighting is now in compliance with the governing ordinance and the issue of the rear elevation being too plain has been addressed by the addition of store front doors. This petition was approved by the Planning Commission by a vote of 8 to 1.

Planning Commission Chair Victoria Sherman stated that the Site Plan Committee had discussions about possibly changing the direction of how some of the buildings would face; but since a precedent had been set with Applebee's, it was decided to continue the same pattern. The Site Plan Committee had voted to add shrubbery between the street trees along THF Boulevard. The addition of the shrubbery was later removed by a vote of the Planning Commission because of concern that the shrubs would create more of an alleyway look and would cut down on pedestrian traffic.

General discussion was held about how Buildings D & E would face. Project Planner Dubbert stated that the developer had indicated that these two buildings would probably have two fronts.

It was noted that the Planning Commission did not accept all of the Architectural Review Board's recommendations for this project. Planning Commission Chair Sherman stated that ARB would be informed of the Planning Commission's decision.

Councilmember Connie Fults stated that she has received a number of complaints about vision problems along the road in Chesterfield Commons because of the size of the crab apple trees planted there. She asked what type of trees would be planted at the proposed site so that the same problem is not repeated. Project Planner Dubbert replied that Skyline Honey Locust trees are proposed for this site. These trees grow to a height of 45', which would not cause a vision problem.

Councilmember Fults made a motion to approve **Chesterfield Commons Four Outparcel B (Restaurant and Retail)**. Councilmember Durrell seconded the motion and **it passes by a voice vote of 4 to 0.**

- B. **Fox & Hound Restaurant, Chesterfield Commons Four Outparcel A:** Site Development Section Plan, Architectural Elevations, Lighting Plan and Landscape Plan for a 1.911 acre parcel located south of Chesterfield Airport Road at its intersection with Public Works Drive.

Project Planner Kyle Dubbert gave background information on the project. The request is for an 8,000 sq. ft. restaurant building. Exterior finishes include EIFS, stone and glass. This petition was approved by the Planning Commission by a vote of 8 to 1.

Councilmember Hurt made a motion to approve **Fox & Hound Restaurant, Chesterfield Commons Four Outparcel A**. Councilmember Fults seconded the motion and **it passes by a voice vote of 4 to 0.**

- C. **P.Z. 16-2003 THF Chesterfield Two Development, L.L.C. (Chesterfield Commons East)**: A request for a change of zoning from a “C-8” Planned Commercial District and a “PC” Planned Commercial District to a new “PC” Planned Commercial District for 61.984 acre tract of land located south of Chesterfield Airport Road, east of Chesterfield Commons Drive, west of Chesterfield Commons East Drive, and north of Edison Avenue. (Locator Numbers: 17T 23 0101, 17T 23 0079, 17T 14 0055, 17T 14 0176).

Project Planner Michael Hurlbert gave background information on the project. He noted that the petitioned site is made up of four developments, which were established by four different ordinances. These four developments would be incorporated into one ordinance. Green space for the site is 37.5%; the ordinance is written to require a minimum of 40% open space.

Councilmember Fults expressed concern over the seasonal hours of operation, which would allow businesses to be open until 1:00 a.m. on Fridays and Saturdays. Project Planner Hurlbert stated that these seasonal hours of operation are the same as the existing ordinance. The petitioner pointed out that there are existing leases with these hours.

Councilmember Hurt made a motion to approve and forward **P.Z. 16-2003 THF Chesterfield Two Development, L.L.C. (Chesterfield Commons East)** to City Council. Councilmember Durrell seconded the motion and it **passes by a voice vote of 4 to 0**.

**Note: One bill, as recommended by the Planning Commission, will be needed for the September 20, 2004 City Council Meeting.
See Bill #**

- D. **P.Z. 14-2004 Delmar Gardens**: A request for the following amendments to City of Chesterfield Ordinance 1806 for an 8.48 acre “PC” Planned Commercial District located on the north side of North Outer 40 Road, east of Delmar Gardens at 14825 and 14805 North Outer 40 Road. (18S320194)
Proposed uses: Medical and dental office and Parking structure.

Project Planner Aimee Nassif stated that the proposed amendments would include a parking structure and an office for medical and dental use. Issues that were raised concerned traffic, hours of operation and use as a medical office. The petition was denied by the Planning Commission by a vote of 5 to 4.

Because of the Planning Commission’s denial, Chair Geiger noted that a super majority of the Council would be required to pass P.Z. 14-2004 Delmar Gardens.

It was noted that the parking structure for the medical building would have 45 spaces on the lower level and 58 spaces on the top level; the lighting ordinance has been met; and that the hours of operation would include Saturdays from 8:00 a.m. to 1:00 p.m..

Chair Geiger expressed concern about the amount of traffic that would be generated from a medical use building.

It was noted that an extensive traffic study was completed in November 1999 and that in July, 2004, Julie Nolfo, Senior Traffic Engineer for Crawford, Bunte, Brammeier, submitted an Addendum to the August 2001 Traffic Assessment Report for Delmar Gardens Office Headquarters.

Considerable discussion followed concerning the results of the traffic study. The 1999 study determined that once more than 235,000 sq. ft. of **office** space was built and occupied along North Outer Forty, the intersection of Chesterfield Parkway and North Outer Forty would need to be improved, involving the construction of triple-left turn lanes. It was determined that the proposed 60,000 sq. ft. of **medical** office space equates to approximately 132,000 sq. ft. of traditional office space with regards to the need for improvement at the intersection of Chesterfield Parkway and North Outer Forty. Consequently, when the proposed medical office space is taken into consideration, the corridor could accommodate 60,000 sq. ft. of medical office space and 103,000 sq. ft. of traditional office space before needing triple-left turns at the intersection of Chesterfield Parkway and North Outer Forty.

The 1999 study also determined that once 725,000 sq. ft. of additional development occurs along North Outer Forty, the intersection with Timberlake Manor Drive would need to be improved by providing a separate westbound right-turn lane.

Question was raised as to whether the threshold of 725,000 sq. ft. had been reached. Ms. Nolfo indicated that if all the development is office use, the square footage is around 500,000. Councilmember Hurt asked how the traffic would be affected if the buildings were medical use. Taking into consideration that medical use equates to approximately double the square footage of an office building, Ms. Nolfo responded that the square footage of the buildings remaining that could potentially be used for medical offices would still be less than 725,000.

Planning Commission Chair Sherman was asked what concerns were expressed at the Planning Commission Meeting where the petition was denied. Ms. Sherman cited concerns about Saturday operating hours and the building as a medical use as reasons for denial.

Mr. Hayden, of Hayden Homes, stated that he has no objections to the proposed petition. He is satisfied with the parking structure, the landscaping and the height of the light standards.

Mrs. Lueking, a resident of the area, stated that she was happy with the restricted hours on Saturday

Chair Geiger stated that he opposes the change to a medical use. He expressed concern that more developers would request medical use in the future and felt this would break the commitment to area residents of allowing only office use along North Outer Forty.

Councilmember Hurt made a motion to approve and forward **P.Z. 14-2004 Delmar Gardens** to City Council. Councilmember Fults seconded the motion.

Chair Geiger made a motion to amend the Attachment A to eliminate Saturday hours for the medical use building. The motion dies due to a lack of a second.

Councilmember Hurt made a motion to amend Attachment A to include “*Medical and dental office use shall be limited to the westernmost building on the site*”. The motion was seconded by Councilmember Fults and **passes by a voice vote of 4 to 0**.

Vote was taken on the original motion to approve **P.Z. 14-2004 Delmar Gardens** and it **passes by a vote of 3 to 1**. (Chair Geiger voted “nay”).

**Note: One bill, as recommended by the Planning Commission, will be needed for the September 20, 2004 City Council Meeting.
See Bill #**

E. Discussion concerning possible recommendations on land use based on the noise study.

Planning Director Teresa Price stated that she had met with Dick Hrabko, Spirit Airport; Ryk Dunkelberg, Barnard, Dunkelberg and Company; and Joe Vujnich, Director of Planning of Wildwood to discuss land use recommendations based on the new noise study. The following five recommendations and subsequent discussions from this meeting were outlined by Planning Director Price.

- 1. Require notice to potential purchasers of residential property within Airport Influence Zone.** This could be implemented by plats within the area noting the subject parcel(s) is in the Airport Influence Zone; by updating the disclosure information used at closing; and/or by requiring an affidavit acknowledging the subject parcel is in the Airport Influence Zone with building permits.
- 2. Require granting of avigation easements for all developments within Airport Influence Zone.** It was noted that Chesterfield and the Airport have worked together in placing these easements on new developments along Wildhorse Creek Road. This could be required on the plat for straight zonings.

3. **Prohibit new noise sensitive uses (schools, residential uses, religious facilities, health care facilities, day care facilities or libraries) within the 60 DNL unless attenuated an avigation easement.** These uses could still be developed if a certification from a registered architect or engineer is present certifying that the building met the 30DNL level. In meeting this level, a builder would use items such as solid core doors, thermal windows, double venting, and storm doors.
4. **Fire Stations within Influence Area should have sleeping area sound attenuated.** The Fire District is not part of the City but a separate taxing jurisdiction.
5. **Prohibit new noise sensitive uses (residential structures, particularly manufactured homes {mobile homes}), schools, places of public assembly, and compatible land use which may produce smoke, glare, or electrical transmission that would interfere with aircraft operation along the extended centerline of the runways (50' x 10,000').** This is the most restrictive.

Planning Director Price stated that it was discussed that the best way to accomplish these objectives is to require that development in the Airport Influence Zone be done with an overlay district.

Councilmember Fults made a motion that the recommendations be forwarded to the Ordinance Committee of the Planning Commission for review and guidance; and that a report from the Ordinance Committee be presented before going forth with any of the recommendations. The motion was seconded by Councilmember Durrell and **passes by a voice vote of 4 to 0.**

IV. PENDING PROJECTS/DEPARTMENTAL UPDATE

V. ADJOURNMENT

The meeting adjourned at 6:55 p.m.