

PLANNING AND ZONING MINUTES

MARCH 20, 2017

Prepared by Deborah K. McLaughlin

Meeting Called to Order

Roll Call:

Mr. Carney?

MR. CARNEY: Present.

CHAIRMAN KISTNER: Ms. Hall?

MS. HALL: Present.

CHAIRMAN KISTNER: Mr. Magruder?

MR. MAGRUDER: Present.

CHAIRMAN KISTNER: Mr. Rovak?

MR. ROVAK: Present.

CHAIRMAN KISTNER: Ms. Silverman?

MS. SILVERMAN: Present.

CHAIRMAN KISTNER: Mr. Schuh is absent.

Our City Attorney, Carl Lumley?

MR. LUMLEY: Present.

CHAIRMAN KISTNER: Jason Jaggi, our Community Development Director, is not here at the moment, but he will be coming.

Whitney Kelly, City Planner?

MS. KELLY: Present.

CHAIRMAN KISTNER: And, Deborah McLaughlin, our Recording Secretary?

THE COURT REPORTER: Present.

Chairman Kistner recommended that Agenda Item No. 2, Capital Improvement Program Update, be moved to the first item on the agenda to allow time for Mr. Jaggi to be in attendance. Ms. Silverman so moved. Mr. Rovak seconded.

Acceptance of the Agenda:

Chairman Kistner asked for a motion to approve the agenda as amended. Mr. Magruder made the motion. Ms. Silverman seconded the motion. Chairman Kistner asked all in favor to which all responded aye.

Approval of Minutes:

Chairman Kistner asked for a motion to approve the March

6, 2017 Planning and Zoning Commission Draft Meeting Minutes. Mr. Rovak made the motion. Ms. Silverman seconded the motion. Chairman Kistner asked all in favor to which all responded aye.

Public Comment:

Chairman Kistner asked for any public comment. No public comment was heard.

Unfinished Business:

No. 2. Capital Improvement Program Update - FY2018-2022. Ms. Sharon Stott, Assistant to the City Administrator, indicated she has nothing to add, but is happy to answer any questions.

Mr. Rovak indicated he had a couple questions, they're not really make or break. They more have to do with where something is shown in the budget, how it will be allocated.

The expenditures on the golf course and ice arena are obviously very, very large. They overshadow all the other parks items. Just the two of those, but overshadow everything else combined. There have been people that questioned, you know, how extensively, particularly, the projections on the lake cost and expenses are, I will leave that to others, not talk about the actual merits, but about the allocation.

I'll start with the big, big ticket item. Stormwater project. I'm quite familiar with stormwater over the years, having served on the committee, as well as working at professionally.

And normally we see that stormwater to serve our streets, commercial and residential areas.

The golf course project, the damn stabilization de-siltation removal, and that's one item in particular, so all about 750,000 are solely for the improvement and the preservation of the golf course. That amounts to over

half of the total listed stormwater projects for the entire city.

But the CIP breakdown implies that it's not included within the projected golf course expenditures.

So I understand it is for stormwater, but it's kind of one of those but ifs, particularly the de-silting or the silt removal, because a lot of this can be attributable back if there is off-site, upstream tributary area that is not part of the golf course, but the idea of the control and the damn, presumably, is to prevent excessive flows downstream during peak flows.

But de-siltation really applies only to the location where it is. In other words, for the esthetics and settling out of solids. It really doesn't affect detention or retention. It's what we would call dead storage, anything below the water surface, the static water surface, whether you have 12 feet deep or 12 feet deep filled with 11 feet of silt, and just a foot of water does not really affect the detention, which is provided by the rise above the static water and what goes on. So that, in particular, de-siltation, it's hard to attribute it to anything other than where it is taking place, and specifically the golf course.

I don't know quite to the extent of the damn stabilization, but I think a lot of this has to do with the esthetics of the golf course that it might have been done in a much more economical method had it not been the requirement to keep this kind of environment and this kind of appearance for the golf course.

So while I'm not saying I would not want to approve or recommend approval, I don't know that I like seeing it set aside in something which is not really attributable to the golf course.

That's the one really big ticket item.

Similarly, there's two items on capital equipment that have a similar ring to them.

There's \$30,000 for fairway mower that will only be used for the golf course, and Mr. Heines can tell me otherwise if there's other areas in the City it would find use. The \$156,000 for, I guess, it's a Zamboni machine, which will only be used for the ice arena and nowhere else.

So, again, these don't show up on the ice arena or on the golf course expenditures. They, again, are shown as all overall capital expenditures, but were it not for the ice arena, there would not be a requirement for a Zamboni machine. Likewise, if there's not a golf course, there would not be a \$30,000 fairway mower.

So I only suggest that, I guess, the Finance Committee look at that and really decide how it should be attributed, so we all have kind of a clear view as to where money is being spent and what for. I'll leave that at that.

Ms. Sharon Stott explained how items are listed on the budget.

Mr. Jim Heines explained the City's overall capital equipment account.

Ted Ruzicka, 607 Fairways Circle, commented about the plans for the golf course.

Mr. Rovak made a motion to recommend approval to the Council for approval of the capital improvement plan as broken down with additional comments reflected in the minutes of tonight's meeting. Ms. Silverman seconded the motion.

The resultant vote was as follows:

Ms. Hall-aye	Mr. Carney-aye	Mr. Rovak-aye
Ms. Silverman-aye	Mr. Magruder-aye	Chairman-aye.

No. 1. Application No. 16-028. Resolution of the Planning & Zoning Commission of the City of Creve Coeur, Missouri, Adopting the Creve Coeur 2030 Comprehensive Plan as the Official Land Use Plan of the City.

Mr. Jaggi indicated he would give a brief presentation based upon how the plan has been revised to address the Commission's comments from the March 7th meeting.

Mr. Jaggi indicated the discussion was focused on how to designate in the Community Place Type map the properties on Olive Boulevard, generally between Graeser to the west and Spoede to the east. Previous versions of the plan listed those properties within the NC Neighborhood Commercial Place Type District. Based on the discussion, it was agreed that should be changed to reflect Residential Place Type, which is similar to the areas immediately to the south. Mr. Jaggi indicated what we've done is we've included these areas, and if it's acceptable to the Commission, we will move these areas in the final plan and change those to the Category III Place Type, which is the Estate Neighborhood. That will create that consistency in residential areas for this portion of the East Olive Corridor. That would be the new place type of this area of East Olive.

Mr. Jaggi indicated there have been some text changes based upon the last discussion, and the changes can be summarized as follows within that text, and that's page 88 of the Draft Plan, that now recognizes existing residentially zoned properties on the south side of Olive Boulevard between Graeser and Spoede Road in the plan, that text is now included. There are two different types of place types now in the East Olive Corridor. The first being the Neighborhood Commercial, NC Place Type, and with new addition, Estate Neighborhood Place Type, just for those areas.

Mr. Jaggi stated that also the text addresses that the Commission should review this area in the short to mid-term, approximately five years, that was the discussion at the last meeting, to determine if progress is made.

Mr. Jaggi indicated another comment that was made at the last meeting was providing some objectives that the Commission can look at when we review this to determine what types of progress has been made. So what staff proposed was to look at the following three variables. One being that there would be some replacement of existing single-family homes with new structures, or new houses being built on vacant lots, or renovations of existing structures that demonstrate significant investments that would affect the exterior appearance of those properties.

Mr. Jaggi indicated to the Commission that the staff memorandum was posted on the Comprehensive Plan web page on Thursday, March 16th, available to the public. Mr. Jaggi said they did not receive any comments after March 6th until the time where we posted the agenda packet on Thursday. Mr. Jaggi said one or two were received after the agenda was posted, and those are placed at each one of your stations in terms of suggestions for this area of the City.

Mr. Jaggi indicated that they could finalize amendments tonight on this plan, and then Mr. Jaggi suggested that the Commission discuss this proposed language. If the Commission is in agreement, or could take comments from the members of the public that are here, and perhaps maybe vote on that language. Mr. Jaggi indicated they do have a resolution that's been prepared, and that motion could be to adopt the plan from the March 2017 Draft with any amendments discussed this evening. If it is approved, there would be a signature line on the actual document for the Chair to sign, just further affirming that this plan is reflecting the amendments however they might be approved tonight.

Mr. Jake Losi (phonetic) indicated he didn't have any new data to share, just wanted to thank the Commission for the dialogue we've had in prior weeks, and for listening to the residents and then requesting changes. I think that for the most part they're reflective of our desires, and I just appreciate you guys working with us.

Chairman Kistner indicated to Mr. Losi (phonetic) that his presence and his fellow neighbors and the way they articulated in a very respectful and collaborative and constructive way was extremely helpful.

Mike Merritt, 819 Larkin, thanked the Commission for listening to the residents and looking forward to passing something other than what was listed as a Neighborhood Commercial District. Mr. Merritt indicated he doesn't see the point of Estate Neighborhood District. He doesn't know what that is. He thought the discussion was to keep it residential, and he would just ask that the P&Z adopt language that he has for the East Olive Corridor.

Further discussion was had.

Mr. Magruder moved to accept the amendments as outlined this evening. Ms. Silverman seconded the motion.

The resultant vote was as follows:

Ms. Hall-aye Mr. Carney-aye Ms. Silverman-aye
Mr. Rovak-aye Mr. Magruder-aye Chair-aye.

Mr. Lumley stated that just so we're clear, as presented this evening, equates to as stated in staff's memo of March 16th.

Mr. Rovak made a motion to approve Resolution 16-028, the Comprehensive Land Use Plan, as amended.

Mr. Lumley indicated that the resolution includes tonight's amendment.

Mr. Magruder seconded the motion.

There being no further discussion, the resultant vote was as follows:

Mr. Magruder-aye Ms. Silverman-aye Mr. Rovak-aye.
Mr. Carney-aye Ms. Hall-aye Chair-aye.

No. 3: Application: No. 16-030 For a Conditional Use Permit and Site Development Plan for a Panda Express Restaurant, with Drive-Thru Service at 10453 Olive Boulevard within Creve Coeur Pavilion Shopping Center.

Chairman Kistner indicated that a motion to un-table and schedule for the April 3rd meeting was needed. Mr. Magruder made a motion to un-table the item and schedule it for April 3rd meeting. Ms. Silverman seconded the motion.

There being no further discussion, the resultant vote was as follows:

Mr. Magruder-aye	Ms. Silverman-aye	Mr. Rovak-aye
Mr. Carney-aye	Ms. Hall-aye	Chair-aye

New Business:

1. Public Hearing: Application No. 17-008: Text Amendment to Section 405.310: PH-Planned Hospital District of the Zoning Ordinance. Chairman Kistner recused herself. Mr. Rovak is Acting Chairman.

Mr. George, Stock & Associates Consulting Engineers, on behalf of Mercy, requesting consideration for an amendment to the PH, Planned Hospital District.

We were before you on January 17th with the boundary adjustment plat. The particular property, which is the cause for our actions tonight or request for the amendments to the PH is the southwest corner of Conway and Ballas Road adjacent to Temple Emanuel. The boundary adjustment plat that we brought before you was to adjust .98 acres from Temple Emanuel into the Mercy property, which you recommended approval.

Taking it a step further, our request to amend the PH is to eliminate and/or reduce the building and parking setbacks and required buffer yards when adjacent to non-residential uses.

So the Planned Hospital District has certain setbacks and buffers, performance criteria, when the PH is adjacent to residentially zoned and residentially used property.

This particular property is adjacent to Temple Emanuel, which does have the Single-Family A Residential District, but, obviously, it's an institutional use and non-residential.

So in addition to reducing the setbacks adjacent to Temple Emanuel, we're also asking to increase the site coverage from 55 percent to 63 percent.

Within the Planned Hospital District, there's really two categories, there's two properties that are Planned Hospital.

There's the BJ West County, which was before this Planning Commission, and it's categorized with performance criteria for sites under 55 acres. That site's under 55 acres.

The second Planned Hospital District zoning within the City of Creve Coeur is the Mercy campus, and it's defined with performance criteria greater than 55 acres. So one of the differentiations is the percent coverage. Our request is for 63 percent versus the 55 percent that's currently there.

And, again, this request is specifically stemming from the proposed redevelopment of the former skilled nursing facility, which is at the southwest corner.

The site plan that's before you, and this is a preliminary plan, it's really just to show you what the issue is.

Ballas Road, along the east, running north, south. The south property line is the actual municipal line between the City of Creve Coeur to the north and the City of Town and Country to the south. Our western boundary, which is highlighted in yellow, is that boundary which is common with Temple Emanuel property. Again, the Temple Emanuel exists on this property with an A Residential zoning. To the north of the property is Planned Hospital, which is

the Mercy campus. To the east is the former skilled nursing facility, which is also zoned Planned Hospital. And to the south are three office buildings that are primarily medical office buildings, two of which are currently owned by Mercy, and a third which is within discussions with Mercy to purchase.

The other item on this southern portion of the property is the Ameren substation, which is located here.

Ameren is currently working on plans to rotate the substation and move it further to the south to allow a new access point.

So where the practical difficulty that exists with developing this particular piece of property in the Planned Hospital District is the fact that there's certain setbacks from residentially zoned property.

The Village of Westwood, which is immediately to our east, as well as the City of Town and Country, creates a setback of 400 feet to what we are proposing, an outpatient services building.

The setback that currently exists here adjacent to the plan, the hospital is similar, it limits the building to either 45 feet or three stories.

If you're familiar with Conway Road and the Temple Emanuel, at this location is the signalized intersection, which is the main entrance to the Mercy Medical campus. It's also the access point into Temple Emanuel.

So what we are proposing, with cooperation of Temple Emanuel and the sale of .98 acres, is to reconfigure that fourth leg, and have a shared access drive that, basically, runs from Conway Road, runs to the southern property line.

And so the way the Planned Hospital District is written in the draft ordinance there, it would eliminate the setbacks, the buffer yard setbacks and the side yard setbacks, to allow this cross access easement.

In addition, it would allow us to build the medical outpatient services building and a parking garage in accordance with the Planned Hospital District, which allows buildings to be seven stories or 105 feet.

The intent of this plan, and a more detailed site plan would come before this Commission at a future date, both a concept and site development plan, should you choose to approve or recommend for approval to the City Council the setbacks.

But part of the strategy with the development of this particular property is the shared access with Temple Emanuel at the signalized intersection, but it's also to reconfigure the drives and have a direct connection to Ballas Road, such that the main point of ingress and egress comes through Ballas Road, being the fourth leg of the intersection with the I-64 ramps, into the heart of the campus and reduce the amount of traffic that currently goes north on Ballas Road and utilizes Conway.

So traffic would come through, have a connection. It'd have a parking garage. You'd have an access drive. And it would all be interconnected through these properties, which are also in the City of Town and Country.

So the text amendment is not intended to modify any of the conditions within the other Planned Hospital District, which is those areas under 55 acres. It's really intended for the Mercy campus, and, again, it's a reduction and elimination of the side yard setbacks and the buffer yards along a drive, basically, a shared access, and then also along the southern property line where there's shared access there as well.

The staff has drafted, within your report, those line item changes. Now, while we didn't ask for anything within the 30 to 55, there is a little bit of cleanup in the language, which has been brought forward by the staff.

And, again, our request is really No. 2, which is the sites 55 acres and greater.

After some discussion Mr. Stock indicated the next step, assuming a favorable recommendation from the Commission, would be for the City Council to take this legislation next Monday night. And then the following two weeks adopt an ordinance. And then we would file a campus concept plan. This property is part of the overall concept, so it would also be the northern campus.

Mr. Lumley offered the following exhibits into the record: Documentation in possession of the City Clerk reflecting the public notice provided, the staff's report, City Code of Ordinances and Charter, the City's Comprehensive Plan and the public file regarding this application.

Mr. Carney moved to approve Application No. 17-008 for text amendment to the regulations in Section 405.310, Planned Hospital Zoning District Regulations, regarding yard setback requirements, site coverage, as provided in the draft ordinance. Ms. Silverman seconded the motion.

There being no further discussion, the resultant vote was as follows:

Mr. Carney-aye	Ms. Hall-aye	Mr. Magruder-aye
Ms. Silverman-aye	Acting Chair-aye	

Work Agenda: Nothing

Department Reports:

1. Director of Community Development.

Mr. Jaggi acknowledged staff, everyone who was involved with this Comprehensive Plan effort. Mr. Jaggi said it

has been a very long process, but I think a very good process. I'm proud of staff, Whitney, in particular, Jessica's not here, and the consultant. I'm proud of the effort that's been done.

Chairman Kistner indicated Mr. Jaggi beat her to it, because she was going to say the same thing. She hopes that Mr. Jaggi will convey it to everybody involved, and the two of you in particular, consultant, and it was a long time, but I think all the effort, all the public engagement, really paid off. Congratulations.

Mr. Jaggi indicated Panda Express will be on the next agenda of April 3rd, and a lighting plan for Spoeede Elementary.

Mr. Rovak indicated he would not be present at the April 3 meeting.

City Attorney: No report.

Mr. Rovak made a motion to adjourn. Ms. Silverman seconded the motion. There being no further discussion, all responded aye.

Meeting adjourned at 7:31 p.m.