

**CITY OF HAZELWOOD
PLAN COMMISSION MEETING
JULY 8, 2021**

CALL TO ORDER A meeting of the City Plan Commission was called to order by Chairman Matt Struttmann at 7:00 P.M. on Thursday, July 8th, 2021, at Hazelwood City Hall, 415 Elm Grove Lane, Hazelwood, Missouri 63042.

ROLL CALL On roll call the following members of the commission were in attendance:

Mark Rodell	Matt Struttmann
John Gatzert	Dennis Lammert
Lisa Kozieja	Heidi Ham

Mr. Struttmann declared a quorum was present. Also in attendance were City Manager Matt Zimmerman, City Planner Kate Crimmins, and Project Development Coordinator Nikki Miller.

OATH OF OFFICE Mr. Struttmann administered the Oath of Office to Mr. Lammert.

AGENDA Mr. Rodell made a motion, seconded by Mr. Gatzert, to adopt the agenda as written.

APPROVAL OF MINUTES Mr. Gatzert made a motion, seconded by Mr. Lammert, to approve the minutes of the June 10th meeting.

NEW BUSINESS – PETITIONS

A. Case #439-21 – La Norteña Mexican Restaurant, LLC, 725 Campus Court, Ward 2.

1. Petition for a Special Land Use Permit for a Restaurant and Restaurant, Fast Food in an C-2 General Commercial Zoning District.

La Norteña is a full service Mexican restaurant proposed for 725 Campus Court. The existing building was constructed in 1980 and was most recently operated as a Quiznos from 2000 to 2020. The site is zoned C-2 General Commercial and surrounding businesses include Motel 6, Denny’s Restaurant and Midwest Bank Centre. All other area uses and zoning are commercial or industrial. The restaurant will have traditional table service dining, a bar, and will offer takeout. The restaurant is seeking a full liquor license, with Sunday. The restaurant will be open seven days per week, serving breakfast, lunch and dinner. Hours will be 6:00 AM to 10:00 PM during the week, and 9:00 AM to midnight on weekends.

The floor plan shows a 4,300 square foot building with a kitchen, walk-in refrigerator and freezer, dining area, and bar. A bar with eight seats will replace the ordering and cash register

counter. There will be table seating for 92 in the existing dining room and atrium. There is no outdoor seating. A reception area will be installed by the main entrance.

The number of seats and employees requires a total of 37 parking spaces, and 56 parking spaces are available. There are three parking spaces designated as ADA accessible spaces, which meets the requirement for this size of lot.

There are no changes proposed to the exterior of the building, and the fast food drive-through lane will remain. Due to recent increases in demand for takeout food, the owners of the restaurant have proposed to use the existing drive-through window as a pickup window for takeout orders called in ahead of time. This is not anticipated to be a focus of their business plan. However, as the building was designed as a fast food drive-through, 90 feet of vehicle stacking is available if the pickup window becomes a popular feature.

The new owners plan to have live music one day per week. They also plan an annual parking lot event for Cinco de Mayo. As there are no residences in the vicinity, there is no concern for any excess noise disturbing neighbors.

Per Staff policy for restaurants applying for liquor licenses, the Chief of Police is recommending a security camera system be required on the premises. Staff also adds the requirement that adequate lighting be provided in the parking lot.

The Land Use Map of the Comprehensive Plan indicates the subject site to be Commercial. The proposed use is consistent with the Comprehensive Plan.

Staff recommends that the Plan Commission approve the Special Land Use Permit for a Restaurant and Restaurant, Fast Food with the following conditions:

1. Adequate lighting shall be provided in the parking lot.
2. The owner shall be required to maintain a fully functional video recording system on the property to ensure the safety of guests, to deter criminal activity, and to assist law enforcement in following up on reported criminal activity. The cameras should be set up to accurately record entry/exit doors from the inside, any area where money may be handled or stored inside the business, and a view of the parking lot from the front door of the business. The system shall be checked by the owner on a weekly basis to ensure proper functionality and the owner is responsible for making any appropriate repairs as soon as reasonably possible upon determining a defect in operation. The owner/operator shall agree to make the recording data available to law enforcement upon request. Recordings shall be saved and able to be retrieved for a minimum of 30 days.

Wilmer Urbina and Zayda Guajardo spoke about the proposed business and its operations.

Mr. Zimmerman asked when the petitioners plan to open the restaurant.

Mr. Urbina responded late August or early September.

Mr. Struttmann asked if the petitioners had any issues with the staff recommended condition of operating a security system.

Mrs. Guajardo responded that they did not have any issue with that condition.

Mr. Rodell asked if the drive-through portion of the restaurant needed to be included in the approval of the Special Land Use Permit (SLUP).

Mrs. Crimmins responded that the SLUP is for a Restaurant and a Restaurant, Fast Food, which covers both the indoor dining and the takeout functions of the restaurant.

Mr. Struttmann made a motion, seconded by Mr. Rodell, to approve the petition for a Special Land Use Permit for a Restaurant and Restaurant, Fast Food in a C-2 General Commercial Zoning District with the staff recommended conditions.

A roll call vote as held.

<u>AYE - 6</u>	<u>NAY- 0</u>
Mark Rodell	
John Gatzert	
Lisa Kozieja	
Matt Struttmann	
Dennis Lammert	
Heidi Ham	

The motion passed, 6-0.

B. Case #440-21 – NorthPoint Development LLC, 6852 Teson Road, Ward 7.

- 1. Petition for Subdivision** to allow for the subdivision of 32.63 acres of a 44.48 acre lot to create one buildable lot and expanded common ground in a NU Non-Urban Zoning District.
- 2. Petition for an Amendment to Planned District Ordinance #4605-18** to include an additional 32.36 acres in the Planned District and rezone from NU Non-Urban to Planned District, Industrial.

Hazelwood Tradeport is a 325-acre industrial park located just east of Aubuchon Road, one-quarter mile south of the intersection of Aubuchon Road and Teson Road. The parcels making up Tradeport were historically non-urban, agricultural uses. The area was rezoned as I-1 Light Industrial in 2008 and offered for sale as a potential industrial/business park. NorthPoint Development purchased the site in 2018 and it was rezoned to Planned District, Industrial (PDI). Since then, NorthPoint has constructed five buildings, ranging in size from 250,000 square feet to 490,000 square feet. Tenants include Wayfair, Elite Printing & Packaging, XPO Logistics, Mygrant Glass and LKQ Auto Parts.

The property at 6852 Teson Road is a 44.48-acre tract of land immediately north of Hazelwood Tradeport. The property is zoned NU Non-Urban. There is a single-family home

and barn on the easternmost portion of the property with access to Teson Road. NorthPoint has entered into a contract to purchase 32.63 acres of the property and has petitioned to record a new subdivision plat for that portion. Approximately 12 acres containing the home and barn will not be included in the subdivision and will remain with the current owner. The proposed new lot would remain zoned as NU Non-Urban. Of the 32.63 acres included in the subdivision, 24 acres will comprise Tradeport Lot 9, and the remainder of the property will be consolidated with the industrial park's common ground.

In addition to the Petition for Subdivision, NorthPoint has also submitted a Petition for an Amendment to a Planned District. This petition will amend the original ordinance to add the newly created lots to the Planned District. NorthPoint originally applied to create a PDI in 2018 for the existing 325 acres of Hazelwood Tradeport. The development is governed by the regulations set forth in Ordinance #4605-18. Approval of this petition will effectively rezone the 32.36 acres to Planned District, Industrial, and amend the original ordinance to include the area. All Planned Districts are subject to regulations set forth in their district's ordinance.

While the Code outlines a specific process for creating a new Planned District, there is no process laid out for adding land to an existing Planned District. There is a process for amending a Planned District, which Staff believes to be the most appropriate path.

The Code states "To amend the text or final site plans of any Planned District, the property owner or authorized representative shall submit a written application to the Director of Public Works for review. The Director of Public Works shall forward the amendment to the City Council for review and consideration. If, in the sole determination of the City Council, the proposed change does not represent a substantive modification of the previously approved project, no public hearing shall be required and the Council may approve the amendment. Otherwise, the City Council may forward the application to the City Plan Commission for its recommendation and report and thereafter hold a public hearing in relation thereto".

Lot 9 will be the only buildable lot created by this subdivision. The proposed building will be a mirror image of the existing Building 4, which is immediately to the south of Lot 9. The building will be 407,500 square feet with parking for 305 cars and 115 trailers. Access to the site will be from Tradeport Commerce Court and Tradeport Industrial Court. Loading docks and trailer parking will be located on the south side of the building, with the north side reserved for employee parking only.

The Final Plat called "Hazelwood Tradeport Plat 4" meets the requirements of the Subdivision Regulations.

Staff recommends that the Plan Commission approve the subdivision plat called "Hazelwood Tradeport Plat 4".

The Land Use Map of the Comprehensive Plan indicates the subject site to be Industrial. The Amendment to a Planned District Ordinance is consistent with the Comprehensive Plan.

Staff recommends approval of this Amendment to Planned District Ordinance #4605-18 that includes an additional 32.36 acres in the Planned District and rezone from NU Non-Urban to Planned District, Industrial with the following staff recommended conditions:

1. Fencing and landscaping to provide increased security and screening shall be required along the northern property line of Lot 9, with final plans subject to City Staff approval.
2. Truck traffic, trailer storage, and loading/unloading shall be prohibited on the north side of Building 9 and signage shall be erected notifying trucks of this prohibition.
3. Lighting shall be adjusted in response to citizen complaints.
4. No access to Teson Road shall be permitted from either Lot 9 or the adjacent Common Ground. All vehicular and construction traffic shall access the site via Tradeport Drive.

Mrs. Crimmins recommended that a fence be installed instead of, or in addition to, landscape screening in response to concerns expressed at the previous night's City Council Meeting.

Mr. Struttmann asked if the fence requirement should be included in the conditions for the Subdivision approval.

Mr. Zimmerman responded that Council made a motion to refer this petition to the Plan Commission with the condition that a fence be installed that is sufficient to meet the requirements of the neighboring resident.

Mr. Lammert stated that the current PDI ordinance allows for installation of earthen berms, sight proof walls or fences in lieu of landscaping.

Mr. Lammert asked if the lighting shown on the submitted lighting plan is from the building or the parking lot.

Mrs. Crimmins responded that there will be lighting in the parking lot and lighting on the building.

Mark Militzer with Northpoint Development gave a presentation on Northpoint's operations and the proposed new building.

Mr. Rodell asked for clarification on the plat and location of the detention pond.

Mr. Militzer explained the location of the detention pond and the property line.

Mr. Rodell asked if Northpoint had any easement access to Teson Road and if there would be an issue if a condition was added to restrict any access to Teson.

Mr. Militzer responded that they did not have any access to Teson Road and would not have a problem with the suggested condition.

Mr. Lammert asked if the petitioner had come to agreement with the neighboring resident on an acceptable fence between the properties.

Mr. Militzer responded that an agreement had not been reached, but Northpoint was willing to work with the resident.

Rose Littell of 1506 Teson Road expressed concerns with the proposed development posing a security issue near her property.

Mrs. Ham made a motion, seconded by Mr. Struttmann, to approve the petition for Subdivision of 32.63 acres of a 44.48-acre lot to create one buildable lot and expanded common ground in a NU Non-Urban Zoning District.

A roll call vote as held.

<u>AYE - 6</u>	<u>NAY- 0</u>
Mark Rodell	
John Gatzert	
Lisa Kozieja	
Matt Struttmann	
Dennis Lammert	
Heidi Ham	

The motion passed, 6-0.

Mrs. Ham made a motion, seconded by Mr. Gatzert, to approve the petition for an Amendment to Planned District Ordinance #4605-18 to include an additional 32.36 acres in the Planned District and rezone from NU Non-Urban to Planned District, Industrial with the staff recommended conditions.

A roll call vote as held.

<u>AYE - 6</u>	<u>NAY- 0</u>
Mark Rodell	
John Gatzert	
Lisa Kozieja	
Matt Struttmann	
Dennis Lammert	
Heidi Ham	

The motion passed, 6-0.

UNFINISHED BUSINESS – None.

DISCUSSION ITEMS – None.

CORRESPONDENCE – None.

MISCELLANEOUS BUSINESS AND ANNOUNCEMENTS – None.

COMMISSION MEETING The next meeting is scheduled for August 12th, 2021.

ADJOURNMENT There being no further business to come before the City Plan Commission, the meeting was adjourned at 7:54 P.M.

Matt Struttman, Chairman

Nikki Miller, Project Development Coordinator