

SUMMARY
PLANNING AND ZONING COMMITTEE MEETING
JANUARY 20, 1993

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 6:30 p.m., on Wednesday, January 20, 1993, in the City Council Conference Room. In attendance were Chair Betty Hathaway (Ward I); Councilmember Susan Clarke (Ward II); and Councilmember Dan Hurt (Ward III); and Councilmember Dick Hrabko (Ward IV). Also in attendance were Mayor Jack Leonard; Councilmember Ed Levinson (Ward II); Planning Commission Chair Mary Domahidy; and Jerry Duepner, Director of Planning.

ITEM I. P.C. 111-79 Mason Cassilly Inc. (Westfield Farms Subdivision); a request for an amendment of Planned Environment Unit in "R-1A" 22,000 square foot Residence District, "FPR-1A" Flood Plain "R-1A" 22,000 square foot Residence District "FPR-2" Flood Plain "R-2" 15,000 square foot Residence District and "R-2" 15,000 square foot Residence District; west side of Schoettler Road at Grantley Drive.

Director Duepner summarized the request for amendment, noting the recommendation of the Planning Commission for **denial**. It was also pointed out that this matter had previously been before the Committee and **held**, with the recommendation that the petitioner pursue the possibility of three (3) 29,000 square foot lots. Director Duepner referenced the correspondence dated January 20, 1993, from the petitioner's representative, Ms. JoAnn Tracy, requesting that the Committee proceed with action on the original requested amendment.

A motion was made by Councilmember Hrabko to **uphold** the recommendation of the Planning Commission. The motion was seconded by Councilmember Clark, and approved by a vote of 3 to 0.

(Note: A bill relative to this matter will be needed for the February 1st City Council Meeting.)

(Councilmember Dan Hurt arrived at this time.)

ITEM II. Correspondence from the City Attorney concerning Non-Conforming Uses.

Director Duepner summarized the correspondence from the City Attorney concerning Non-Conforming Uses, specifically relative to signage for non-conforming uses. Director Duepner noted that, in accord with the opinion of the City Attorney, the Department of Planning would now consider signage for non-conforming uses in compliance with the underlying zoning district.

No action was necessary by the Planning and Zoning Committee on this matter, and the correspondence was received and filed.

ITEM III.

Correspondence from the City Attorney relative to the Conditional Use Permit Process.

Director Duepner summarized the correspondence from the City Attorney and described the current provisions of the Zoning Ordinance relative to the Conditional Use process. We also addressed current provisions concerning the Commercial Service Procedure and Density Development Procedures.

Relative to the Density Development Procedure, the Committee noted that while there is no provision in the current requirements for a public hearing, Council could request a public hearing at any time. The Committee saw no need to consider revision of this section of the Zoning Ordinance.

In regard to the Commercial Service Procedure, the Committee members noted current requirement for passage of an ordinance to approve a Commercial Service Procedure. It was their belief that it would be appropriate to retain the current process, as opposed to consider revision to make the Procedure similar to a Conditional Use Permit where no ordinance is required.

The Committee was in agreement that the process for Conditional Use Permits should be revised to provide for a simple majority vote by City Council to deny when exercising its Power of Review, as opposed to the current two-thirds (2/3's) vote required. This would be consistent with the current process for denial of a Zoning Ordinance Amendment, Rezoning, or Special Procedure Ordinance.

A motion was made by Councilmember Clark to direct a resolution to the Planning Commission to consider amending of the Zoning Ordinance of the City of Chesterfield to provide for the denial of a Conditional Use Permit by the City Council by a simple majority vote, and clarification of the voting for denial as presently provided for in the Zoning Ordinance on Ordinance Amendments, Rezonings and Special Procedures. The motion was seconded by Councilmember Hrabko, and approved by a vote of 4 to 0.

Note: This matter should be presented to the Council at its next work session for action on directing to the Planning Commission to amend the Zoning Ordinance in this regard.

(Councilmember Hurt left the meeting at this time.)

ITEM IV. Memorandum from the Director of Planning concerning the 1992 Update of the City of Chesterfield Comprehensive Plan.

Director Duepner summarized the process followed by the Planning Commission in its Update of the Comprehensive Plan, and the action taken by the Commission in the Update.

Councilmember Hrabko expressed concern relative to the revision of the policy concerning Spirit of St. Louis Airport. He noted that the Master Plan for the Airport has since been approved, and suggested that in the next Update of the Plan, the Commission may wish to consider review of the Master Plan. In addition, Committee members noted that it would be beneficial for the Council to receive a copy of the proposed revisions to the Comprehensive Plan prior to Commission action. This would be in addition to the notice for the public hearing, and occur after the public hearing.

Planning Commission Chair Domahidy noted that the Commission would review its process for Update of the Comprehensive Plan in this regard. It may be appropriate for the Commission to advise the Council when the process begins, when the public hearing is to be held, and subsequent to the hearing submit to the Council considered revisions for comment.

Planning Commission Chair Domahidy also noted the need for a more detailed review of the western area of the City in response to the development activity being experienced in that area, and need for an Urban Core study.

Councilmember Clarke stated objection to revision of the Comprehensive Plan relative to the Land Use Designation of the area south of Conway Road, north of Highway 40, eastward from the Bonhomme Presbyterian Church. The Comprehensive Plan had been revised to indicate this area for *office use*, with a minimum 120 foot buffer along Conway Road, as opposed to the previous designation of *attached residential* for the area adjacent to Conway Road, and *office* for the area adjacent to Highway 40.

A motion was made by Councilmember Hrabko for a resolution at the next Council meeting on the Update of the Comprehensive Plan. The motion was seconded by Councilmember Hathaway. The vote on the motion was 2 to 1, with Councilmember Clarke voting no.

Note: A resolution for the Comprehensive Plan will be submitted to Council for its meeting on February 1, 1993.

ITEM V. Correspondence from the City Attorney concerning Demolition of Repair of Buildings.

This matter was held by the Committee for discussion at a future meeting.

ITEM VI. Memorandum from the Director of Planning summarizing the Survey of Housing Codes in St. Louis County.

Director Duepner summarized the Survey of Housing Codes in St. Louis County as prepared by the City of Crestwood. It was noted that this issue had previously been discussed by the Committee and that staff had been directed to obtain additional information. It was noted that, currently, the City has no requirements for re-occupancy of existing housing, or a housing appearance code.

There was considerable discussion in the Committee relative to the possible impact of establishment of housing inspection and housing code. It was directed that this matter be sent to the Committee of the Whole for discussion. The Committee unanimously agreed to forward to the Committee of the Whole, the information submitted by the Department.

ITEM VII. Memorandum from the Director of Planning concerning the Review of Planning Commission Recommendations and Conditions.

Director Duepner summarized the memorandum concerning the review of Planning Commission recommendations and conditions by the Committee. It was noted there currently is a policy in place relative to referral back to the Committee of matters where the Department identifies a lack of clarity on the wording of conditions.

Director Duepner noted that in two (2) recent cases, Department staff encountered some difficulty in preparing revisions to conditions prior to the Council meeting. Staff concern is in regard to possible future problems to the City, residents or the developer/petitioner resulting from conditions drafted after the Committee meeting, and presented to Council the night of the Council meeting.

Committee members were of the opinion that resolution of issues by Councilmembers between petitioner and residents should be, if possible, conducted prior to Committee meeting. If necessary, staff should be consulted on particulars of the issues.

The Committee did not wish to establish a specific policy on this matter, but directed that, if staff has concerns, they should raise them with the Committee and recommend the matter be held for the next meeting to address conditions for Council action.

Site Plans, Building Elevations and Signs reviewed by Planning Commission on January 11, 1993.

- A. Wellesley Place Addition Subdivision; Planned Environment Unit in "R-2" Residence District Subdivision Record Plat; west side of Olive Boulevard, south of West Drive.

NOTE: This matter will be acted on by the City Council at its meeting of January 19, 1993.

- B. P.C. 25-87 Clarkson Centre Associates (Clarkson/Wilson Centre); "C-8" Planned Commercial District Amended Site Development Plan; east side of Clarkson Road, south of Clarkson Woods Drive.

- C. P.Z. 10 & 11-92 R.J. and J. Partnership (Countryside at Chesterfield); Planned Environment Unit in "R-1" Residence District and "FPR-1" Flood Plain Residence District Site Development Plan (Concept Review); west side of Kehrs Mill Road, south of Wild Horse Creek Road.

ADD ON #1

The Committee discussed upcoming meeting dates and times. It was noted that the meeting on February 3, 1993, will be held at 6:30 p.m. Subsequent meetings will return to the 5:45 p.m. schedule.

The meeting adjourned at 7:40 p.m.

[PZC-SUM.J20]