

SUMMARY
PLANNING AND ZONING COMMITTEE MEETING
DECEMBER 7, 1994

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held on Wednesday, December 7, 1994, at 5:35 p.m., in the City Council Conference Room. In attendance were Chairman Dan Hurt (Ward III); Councilmember Barry Flachsbart (Ward I); Councilmember Ed Levinson (Ward II); and Councilmember Mike Cullen (Ward IV). Also in attendance were Mayor Jack Leonard; Councilmember Linda Tilley (Ward IV); Jerry Duepner, Director of Planning; and Laura Griggs-McElhanon, Senior Planner.

ITEM I. Approval of summary of Planning and Zoning Committee meeting of November 22, 1994.

A motion to approve the November 22, 1994 Meeting Summary was made by Councilmember Flachsbart and seconded by Councilmember Cullen and approved by a vote of 4 to 0.

ITEM II. **P.Z. 18 & 19-94 Chesterfield Village, Inc., Louis S. Sachs and Nancy R. Sachs (Wildhorse Hills); "NU" Non-Urban District to "R-3" 10,000 square foot Residence District and a Planned Environment Unit (PEU) Procedure; south side of Wild Horse Creek Road, west of the intersection of Wild Horse Creek Road and Baxter Extension Road.**

Director Duepner summarized the elements of the revised plan submitted in response to the Committee's motion at the meeting of November 22, 1994.

There was discussion by Committee Members relative to proposed access from Wild Horse Creek Road; the provision of a landscape buffer area adjoining Wild Horse Creek Road, particularly the height of a berm and size of landscape materials to be utilized; and whether the landscape area should be common ground or a landscape easement.

Mr. Al Michenfelder addressed the Committee on behalf of the petitioner indicating that a landscaped area would be provided either as an easement or common ground, whichever is acceptable. He also presented a potential concept plan for the subject site and the area eastward to Baxter Road Extension. Mr Michenfelder noted the petitioner would propose an area of "R-1" One Acre Residence District of approximately 500 feet in width, parallel to Wild Horse Creek Road.

There was considerable discussion by the Committee relative to the proposed concept plan, and the area of proposed "R-1" zoning. Councilmembers Cullen and Flachsbart stated opposition to proposed access at Wild Horse Creek Road.

A motion was made by Councilmember Levinson for approval of the proposal as recommended by the Planning Commission, with provision of a minimum 500 foot strip of "R-1" District paralleling Wild Horse Creek Road; a minimum four (4) foot berm to be provided along a minimum of eighty percent (80%) of the property frontage of Wild Horse Creek Road within a landscape easement; a maximum of one (1) access to Wild Horse Creek Road to be a divided entrance; and final review and approval of the site development and landscape plan by the Planning and Zoning Committee. The motion was seconded by Chairman Hurt.

There was discussion relative to the potential closing of access at Silverthorne.

Director Duepner noted that Silverthorne is a public street and the streets within the proposed development are to be public streets, and it has not been the policy of the City to block public streets.

There was discussion by the Committee relative to no direct access to Silverthorne and provision of an emergency access in the form of pavers.

Councilmember Levinson amended his motion, to which Chairman Hurt agreed, that no direct connection be provided to Silverthorne, and in lieu, emergency access (e.g., paver blocks) shall be provided as approved on the site development plan.

The vote on the motion, as amended, was 2 to 2, with Councilmembers **Hurt and Levinson** voting yes, and Councilmembers **Flachsbart and Cullen** voting no.

Director Duepner inquired whether the Committee wished to have a bill reflecting the Committee motion submitted to Council as well as a bill reflecting the Planning Commission recommendation. The Committee concurred.

Note: Two bills on this matter - one (1) per the Planning Commission recommendation, and the other per the motion voted on by the Planning and Zoning Committee - will be needed for the December 19, 1994 City Council Meeting.

ITEM IV.

P.C. 165, 167, 170 & 172-71 Sachs Properties (Chesterfield Village); request for amendment of Planned Environment Unit (PEU) in "R-1," "R-2," "R-3," "R-4," "R-5," "FPR-5," "R-6," "R-6A," and "R-8" Residence Districts Ordinance; southwest quadrant of Clarkson Road and U.S. Highway 40/61.

Director Duepner summarized the report of the Planning Commission recommending **approval** of the amendment.

There was discussion by the Committee relative to the initial requirement for school sites and the potential location of the five (5) acres requested to be deleted.

Councilmember Levinson raised concern relative to the proposed amendment, noting that the development was presented as a planned community.

Director Duepner noted that a recommendation of the Department is for an amended final development plan to be submitted, reflecting roads which have been constructed and proposed within the development.

A motion for **approval** was made by Councilmember Flachsbart, seconded by Councilmember Cullen and **approved** by a vote of 3 to 1, with Councilmember Levinson voting no.

Note: A bill relative to this matter will be needed for the December 19, 1994 City Council Meeting.

ITEM V.

P.C. 60-81 and P.C. 23-88 Richard Halbman (White Gate Farms); Planned Environment Unit (PEU) in the "R-5" 6,000 square foot Residence District Boundary Adjustment Plat (Lots 1, 19 and 20), and ordinance amendments (legal descriptions); north side of Clayton Road, west of Straub Road.

Director Duepner summarized the recommendation of the Department of Planning relative to the Boundary Adjustment Plat and the Ordinance Amendment.

A motion for **approval**, as recommended by the Department, was made by Councilmember Levinson, seconded by Councilmember Flachsbart, and **approved** by a vote of 4 to 0.

Note: A bill amending the Planned Environment Unit Ordinance and a bill approving the Boundary Adjustment Plat will be needed for the December 19, 1994 City Council Meeting.

ITEM VII.

Memorandum from the Director of Planning concerning request from Rockwood School District relative to immediate taxing of residences upon occupancy.

Director Duepner summarized the memorandum on this matter.

A motion was made by Councilmember Levinson and seconded by Councilmember Flachsbart that the City Council approve a letter to the St. Louis County Council indicating support for a bill to speed the placement of residential properties on the tax rolls. **The motion was approved by a vote of 4 to 0.**

Note: A draft letter will be needed for the December 19, 1994 City Council Meeting.

ITEM III.

P.Z. 24-94 City of Chesterfield Planning Commission; a proposal to amend Section 1003.300 Procedure for Amending the Zoning Ordinance of the City of Chesterfield.

Director Duepner summarized the report of the Planning Commission.

There was discussion by the Committee on this matter relative to the need for a one (1) year time period for resubmittal of petitions after denial. The Committee directed the Department to review this matter and respond at the next meeting with a proposal for reconsideration of matters after the initial Council meeting, as well as a process for Council approval to allow a petition to be resubmitted within one (1) year by the majority, or a procedure whereby the two (2) Councilmembers of the Ward in which the site was located could introduce a resolution for approval by a majority of the Council to allow the petitioner to resubmit prior to one (1) year. The Department was also directed to review this matter with the City Attorney.

The Committee directed this matter be held.

ITEM VI.

Memorandum from the Director of Planning concerning Landscape Bond for Drew Station Shopping Center; east side of Clarkson Road, north of Baxter Road.

Director Duepner summarized the report.

There was discussion by the Committee on the manner in which to approach the issue. The Committee directed Staff to seek cooperation from the bonding company and, if unsuccessful, to have the City Attorney seek the cooperation from the bonding company. The matter is to be brought back to the Committee for consideration if the results of the Department and City Attorney's contact are unsuccessful.

Councilmember Levinson requested information as to whether the City would be able to recoup legal fees, if we were to proceed.

ITEM IX. Memorandum from the Director of Planning concerning Chesterfield Valley Master Development Plan.

The Committee unanimously concurred that Councilmember Mike Cullen serve as the representative from the Planning and Zoning Committee to the Chesterfield Valley Master Development Plan Study.

ITEM VIII. Memorandum from the Director of Planning concerning Chesterfield Valley Tax Increment Financing District.

A motion was made by Councilmember Levinson and seconded by Chairman Hurt that a letter be sent to St. Louis County requesting their formal action on establishing a Tax Increment Financing District for that portion of the Valley in unincorporated St. Louis County. **The motion was approved** by a vote of 3 to 1, with Councilmember Flachsbart voting no.

Note: A draft letter will be needed for the December 19, 1994 City Council Meeting.

ITEM XVII. Memorandum from the Director of Planning concerning proposed 1995 Planning and Zoning Committee Meeting Schedule.

The Committee discussed moving meetings of the Planning and Zoning Committee to the second and fourth Monday of the month, prior to Planning Commission Meetings.

Director Duepner noted this would present a problem to Staff in preparing two (2) agendas during the same week - one (1) for the Committee and the other for the Planning Commission - and also present a problem when the Committee would need to hold a public hearing.

The Committee directed the Department to review the schedule for the coming year to see if meetings can be scheduled on Monday nights, on the second and fourth Monday of the month, but that Thursday could be an alternative.

Director Duepner indicated he would inquire whether the Planning Commission would consider moving meetings to Thursday.

The Committee also indicated there is consideration being given to City Council going to one (1) meeting a month. The Committee indicated they would prefer having Monday night meetings, but would consider Thursday.

ITEM X.

Memorandum from the Director of Planning concerning Update of the Zoning and Subdivision Ordinances.

Director Duepner noted that the Chamber of Commerce, Chesterfield Community Development Corporation, and the Home Builders Association had submitted names for ex-officio members of the Steering Committee: Mr. Rudy Stinnet for the CCDC; Mr. Fred Bruning, with Mr. Bill Taylor as an alternate, for the Home Builders Association; and Mr. Robert Boland for the Chesterfield Chamber of Commerce.

Chairman Hurt, on behalf of the Councilmembers of Ward III, recommended Mr. Bob Grant as a citizen ex-officio member from Ward III.

Director Duepner noted that Councilmember Flachsbart and Councilmember Hilbert had recommended Betty Hathaway from Ward I as an ex-officio member.

The Mayor approved the appointment of ex-officio members Bob Grant, Rudy Stinnet, Fred Bruning and Bob Boland.

Chairman Hurt noted that other Councilmembers should submit names to Director Duepner as soon as possible, and he would conduct a phone poll of the members of the Committee, and then forward them to the Mayor for approval.

Director Duepner also indicated that he would be responding to a request from Dr. Theodosios Korakianitis for a meeting with Mr. Kendig during his next visit. Meetings are scheduled with Mr. Kendig for the evenings of the 14th and 15th, at 5:30 p.m.

ITEM XI.

Memorandum from the Director of Planning concerning Western (Wildhorse/Orville) Annexation.

This item was **dropped**, noting that the City Attorney had recommended that no letter be sent.

ITEM XII.

Memorandum from the Director of Planning concerning the update of the City of Chesterfield Comprehensive Plan.

The Committee directed this matter be held until the next meeting.

ITEM XIX.

SITE PLANS, BUILDING ELEVATIONS AND SIGNS REVIEWED BY THE PLANNING COMMISSION ON NOVEMBER 28, 1994.

- A. **Bentley Place Subdivision**; Subdivision Record Plat in the "R-1" One-Acre and "R-1A" 22,000 square foot Residence Districts, with a Planned Environment Unit (PEU) Procedure; south side of Wild Horse Creek Road, west of Chesterfield Estates Drive.

Note: City Council took action on this matter on 12/5/94.

- B. **P.Z. 26-93 Glen Novack/Redia McGrath (The Wedge)**; "C-8" Planned Commercial District Amended Site Development Plan; north of Old Olive Street Road at Chesterfield Airport Road.

- C. **P.C. 164-83 Chesterfield Executive Park, Inc., and P.Z. 2-92 West County Soccer Club, Inc. (Chesterfield Executive Park, Lot 3, Chesterfield Small Engine Repair)**; Preliminary Architectural Elevations; east side of Cepi Drive, south of Chesterfield Airport Road.

Received and filed at the Direction of the Chair.

Chairman Hurt recognized resident Ms. Wendy Greckler who addressed the Committee on temporary signs at the Buchholz Mortuary and the Wilson/Clarkson Centre.

Director Duepner noted that those signs were permitted.

ITEM XIII.

Memorandum from the Director of Planning regarding City Council Bill 958, -amendment of Sign Regulations concerning Menu Boards for Fast Food Restaurants.

This item was held at the direction of the Committee.

ITEM XIV.

P.Z. 11-93 City of Chesterfield Planning Commission; revisions to Sign Regulations.

This item was held at the direction of the Committee.

ITEM XV. Correspondence from the City Attorney regarding reasonableness of Zoning Categories.

This item was **held** at the direction of the Committee.

ITEM XVI. Memorandum from the Director of Planning concerning regulation of News Racks.

This item was **held** at the direction of the Committee.

ITEM XVIII. Memorandum from the Director of Planning concerning Notice of Hearing from the City of Town and Country for Amended Final Site Development Plan for Town and Country Commons; west side of Woods Mill Road, north of Clayton Road.

This item was **held** at the direction of the Committee.

The next meeting of the Planning and Zoning Committee will be on Wednesday, December 21, at 5:30 p.m.

The meeting adjourned at 7:35 p.m.

[PZC-SUM.D07]