

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: July 30, 2002

SUBJECT: Planning and Zoning Committee Meeting Summary from July 29, 2002

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Monday, July 29, 2002, in Conference Room 101. In attendance were: Chair Dan Hurt (Ward III); Councilmember Barry Streeter (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Councilmember Barry Flachsbart (Ward I); Councilmember Bruce Geiger (Ward II); Councilmember Connie Fults (Ward IV); Prosecuting Attorney Tim Engelmeyer; Planning Commission Chair Victoria Sherman; Director of Planning Teresa Price; Senior Planner Barbara Weigel; Project Planner Mike Hurlbert; Project Planner Annissa McCaskill; Planning Technician Tim Renaud; and Kathy Lone, Planning Assistant.

*To be discussed at the 8/5/2002 City Council Meeting.

Chair Hurt called the meeting to order at 5:30 p.m.

I. Approval of the Planning and Zoning Committee Meeting Summary of July 2, 2002.

Councilmember Streeter made a motion to approve the Meeting Summary of July 2, 2002. The motion was seconded by Councilmember Brown and **passes by a voice vote of 3-0.** (Councilmember Durrell was absent from the meeting.)

- *II. P.Z. 34-2001 Chesterfield Village/Altshuler Tract;** a request for a change of zoning from "NU" Non-Urban District to "PC" Planned Commercial District for 5.29 acres of land located north of North Outer Forty Road, near the intersection of North Outer Forty Road and Chesterfield Parkway East. (Locator Number: 18R-110020) Proposed use: Five story office building.

Project Planner Annissa McCaskill gave an overview of **P.Z. 34-2001 Chesterfield Village/Altshuler Tract**. Ms. McCaskill stated that this petition was approved by the Planning Commission by a vote of 7 to 2 and that Attachment A provided for a 90-foot minimum setback from the new right-of-way of North Outer Forty Road instead of the 65-foot setback as requested by the petitioner.

General discussion followed concerning the 65-foot setback versus a 90-foot setback, acquisition of the right-of-way, performance standards, tree preservation and quality of the trees, triple left turn, and the detention area.

Mr. Greg Smith, attorney for the petitioner, stated that Sachs Properties would add a sculpture to the detention area and that the idea of micro-detention would be reviewed.

Councilmember Streeter made a motion to direct Staff to prepare an amendment for City Council for a 65-foot setback from the proposed right-of-way. The motion was seconded by Councilmember Brown and **passes by a voice vote of 3 to 0.**

Councilmember Streeter made a motion to approve **P.Z. 34-2001 Chesterfield Village/Altshuler Tract.** The motion was seconded by Councilmember Brown and **has a voice vote of 0 to 3.**

Councilmember Brown made a motion to recommend to City Council to approve **P.Z. 34-2001 Chesterfield Village/Altshuler Tract,** in concept only, with Councilmember Streeter's amendment for the front setback reduction. The motion was seconded by Councilmember Streeter and **passes by a voice vote of 3 to 0.**

* **Note: One bill, as recommended by the Planning Commission, will be needed for the August 5, 2002 City Council Meeting.**
SEE Bill #

***III. P.Z. 09-2002 THF Chesterfield Two Development (Abichandani Tract)**; a request for a change of zoning from an "M-3" Planned Industrial District to a "PC" Planned Commercial District for 6.085 acres of land located south of Chesterfield Airport Road, west of Baxter Road, and east of THF Boulevard. (Locator Number 17T 14 0055).

Project Planner Mike Hurlbert gave an overview of **P.Z. 09-2002 THF Chesterfield Two Development (Abichandani Tract).** Mr. Hurlbert stated that this petition was approved by the Planning Commission by a vote of 7 to 2 and eliminates 'drive-through facilities' from the list of permitted uses.

General discussion followed concerning areas in the Valley that currently have drive-through facilities, noise from a drive-through facility versus highway noise, technology to hinder sounds from the drive-through, definition of fast food restaurants, and the character of the look along Highway 40 and Chesterfield Airport Road.

Mr. Mike Doster, attorney for the petitioner, stated that there might be technology available to hinder sounds from the proposed site and this could be written into the ordinance.

Chair Hurt recommended that the petitioner review technology to alleviate the sound issue.

Councilmember Brown made a motion to approve and forward to City Council **P.Z. 09-2002 THF Chesterfield Two Development (Abichandani Tract),** as written restricting drive-through facilities. The motion was seconded by Chair Hurt and **passes by a voice vote of 2 to 1.** (Councilmember Streeter voted nay.)

Chair Hurt stated that amendments might be made at the City Council Meeting.

*** Note: One bill, as recommended by the Planning Commission, will be needed for the August 5, 2002 City Council Meeting.
SEE Bill #**

IV. Property Maintenance Codes

Prosecuting Attorney Tim Engelmeyer was present at the meeting to answer questions concerning the ability to prosecute using the proposed ordinance and whether or not there needs to be separate ordinances for 'non-residential' and 'residential.'

General discussion followed concerning the definition of 'good repair,' interior structures, occupancy permits on existing homes, revising current ordinances, renaming current Ordinance #385 to include nuisances and property maintenance, and a Board of Appeals.

Chair Hurt made a motion to direct Staff, Doug Beach, Tim Engelmeyer, and Tim Renaud to amend Ordinance #385 to include property maintenance codes and to include property maintenance and nuisances in the title. The motion was seconded by Councilmember Brown and **passes** by a voice vote of 2 to 1. (Councilmember Streeter voted nay.)

Director of Planning Teresa Price will review combining the residential and non-residential ordinances.

The meeting unanimously adjourned at 8:00 p.m.

TP/kl