

V

PLANNING COMMISSION
OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
JULY 23, 1990

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The meeting was called to order at 7:00 p.m.

PRESENT

Chairman Barbara McGuinness
Ms. Mary Brown
Mr. Jamie Cannon
Ms. Mary Domahidy
Mr. William Kirchoff
Mrs. Pat O'Brien
Mr. Walter Scruggs
Mr. Doug Beach, City Attorney
Councilmember Dick Hrabko, Ward IV
Mayor Jack Leonard
Mr. Jerry Duepner, Director of Planning/Economic Development
Ms. Anna Kleiner, Planning Specialist
Ms. Sandra Lohman, Executive Secretary

ABSENT

Mr. Dave Dalton
Mr. Les Golub
Councilmember Betty Hathaway

INVOCATION: The Reverend Timothy Vowels, Incarnate Word Catholic Church.

PLEDGE OF ALLEGIANCE - All

PUBLIC HEARING - Commissioner O'Brien read the opening comments.

- A. P.Z. 11-90 City of Chesterfield Planning Commission; a proposal to revise the Zoning Ordinance of the City of Chesterfield by amending Section 1003.182 Commercial Service Procedure (CSP) relative to site coverage.

Director Duepner presented the petition as follows:

- o This petition is to amend a section of the Zoning Ordinance known as the Commercial Service Procedure.
- o In May of this year the City Council adopted Ordinance #445, which established a Commercial Service Procedure in the Zoning Ordinance of the City of Chesterfield. This procedure allows for a limited service and commercial activity upon lots of two (2) acres, or less, within the existing residences on Olive, Clarkson, Clayton, and Wild Horse Creek Roads.

- o The purpose of the proposed amendment is to clarify Section 6 (lot area, lot dimension, and site coverage requirements), of a Commercial Service Procedure.
- o Currently, the Ordinance states that site coverage for buildings, driveways, parking, surfaced areas, is not to exceed a total of 50% of the minimum lot size required for that particular zoning district. We believe that the intent of the Ordinance was not to refer to the minimum lot size required of that particular District, but rather to refer to the size of the existing lot. Theoretically, under the current provisions of the Ordinance, in an "R-1" District a lot could be 1/2 an acre in size, keeping in mind that the minimum lot size in an "R-1" District is one acre. Theoretically, the total lot could be covered under the verbiage of the current Ordinance. The Department believes that the Ordinance needs to be amended to clarify this, and that its intent was to read "not to exceed 50% of the size of the existing lot," as opposed to the minimum lot size for that particular zoning district. Therefore, we recommend that the Ordinance be amended to reflect that change.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION - None

REBUTTAL - Waived

The show of hands was waived.

- B. P.Z. 12-90 City of Chesterfield Planning Commission; a proposal to revise the Zoning Ordinance of the City of Chesterfield by amending Section 1003.410 Penalties for Violation of Zoning Ordinance relative to fines for violations of the Municipal Zoning Ordinance.

Director Duepner presented the petition as follows:

- o The purpose of this petition is to amend Section 1003.410 of the Zoning Ordinance relative to Penalties for Violation of Zoning Ordinance.
- o The current Zoning Ordinance allows for a maximum fine for any zoning violation not to exceed \$500.00 per day. However, as noted by the City Attorney, State Statutes, specifically Chapter 89.120, established that the maximum for a municipal zoning violation is not to exceed \$250.00 for each day, or not less than \$100.00 per day.

- o This proposed amendment to our Zoning Ordinance is to revise Section 1003.410, to bring it into compliance with the State Statutes, as currently stated in State Statute 89.120. Thus, the maximum fine for a zoning offense would be \$250.00 per day, as opposed to the current \$500.00 per day.

COMMENTS/DISCUSSION BY COMMISSION MEMBERS

- o This matter was discussed by the City Attorney, Prosecuting Attorney and the Municipal Judge. It was determined that, although the maximum under the State Statutes allows up to \$250.00 and ours is \$500.00 per day, in order to avoid an opportunity for some type of legal problem in this area, it would be in the City's best interest to amend the Ordinance.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION - None

REBUTTAL - Waived

The show of hands was waived.

APPROVAL OF THE MINUTES

The Minutes were approved from July 9, 1990, with corrections as noted.

COMMITTEE REPORTS

Ordinance Review Committee

Commissioner Brown stated that the Ordinance Review Committee met this evening and discussed three (3) items on the agenda.

- 1) **Street Trees** - It was indicated to the Committee that the Public Works Committee of the City Council is also reviewing the issue of street trees. The Committee agreed to send the Public Works Committee a memo indicating its support to allow street trees in the right-of-way.

- 2) Satellite Dishes - This report is still pending.
- 3) Possibility of allowing Mortuaries as a Conditional Use in "R" Residence Districts - The Ordinance Review Committee requested a draft of a proposal to review before making a decision on this matter.

Commissioner O'Brien had indicated at the Ordinance Review Committee Meeting, that she would like to review our Sign Ordinances in regard to signs that are permitted to equal 5% of the building area. This will be looked into by the Planning Department.

Site Plan Review Committee

Commissioner Kirchoff stated that the Site Plan Review Committee will be addressing landscaping requirements for the purpose of developing a policy to be followed, which may, subsequently, end up as an ordinance. That Committee will consist of the following people: Bill Kirchoff; Jamie Cannon; Pat O'Brien; Mary Brown; and Barbara McGuinness.

A meeting to discuss same will be set in the near future.

Architectural Review Committee

Commissioner Cannon stated that the Committee is establishing documents for review, relating to guidelines. He stated that there will be a meeting, with recommendations presented, within the next thirty (30) days.

OLD BUSINESS - None

NEW BUSINESS

- A. P.Z. 10-90 Riverdale Homes, Inc.; "NU" Non-Urban District to "R-2" 15,000 square foot Residence District; east side of White Road, approximately 150 feet south of Green Trails Drive South.

Director Duepner stated that, in keeping with Planning Commission Policy, the Department recommends this matter be held.

A motion to hold this matter was made by Commissioner O'Brien, and was seconded by Commissioner Kirchoff. The motion passed by a voice vote of 7 to 0.

- B. P.C. 223-77 Sacha Properties; a request for an extension of time for submittal of Site Development Plan for Conditional Use Permit in "R-5," "R-6A," and "R-8" Residence Districts; west side of Chesterfield Village Parkway, south of Chesterfield Airport Road.

Director Duepner presented the request and the Department's recommendation to approve a two (2) year extension of time.

A motion to approve the extension, with the inclusion that the Architectural Elevations be as approved by the Planning Commission, was made by Commissioner Scruggs. The motion was seconded by Commissioner Domahidy.

COMMENTS/DISCUSSION BY COMMISSION MEMBERS

- o The Department will research each request thoroughly and bring forth all matters to the attention of the Commission, in terms of a concern or problem noted at the time of the original consideration, to give the Commission the benefit of that information as well.

The motion passed by a voice vote of 7 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. Wildhorse Subdivision (Lots 25 and 26); Boundary Adjustment Plat; west side of Bridgeway Drive, west of Wild Horse Parkway.

Planning Specialist Kleiner presented the request and the Department's recommendation of approval.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to approve the request. The motion was seconded by Commissioner Cannon. The motion passed by a voice vote of 7 to 0.

Comments/Discussion by Commission Members

- B. P.Z. 26-89 Midland Capital Properties II (Chesterfield Crossing); Wall Sign (Kids R' Us); west side of Clarkson Road, north of Lea Oak Drive.

Planning Specialist Kleiner presented the request for the Commission's review and consideration.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to approve the sign with the exception that the letter height be restricted to three (3) feet, as opposed to the five (5) feet requested. The motion was seconded by Commissioner Cannon.

COMMENTS/DISCUSSION BY COMMISSION MEMBERS

- o Concern was raised over the five (5) foot height of the sign.
- o The neon lighting was discussed relating to possible reduction of illumination of the proposed sign.
- o Possibility of sign lettering being a consistent color, as opposed to the primary colors.
- o Opaqueness of the letters was discussed as a possible deterrent to the amount of illumination.

Upon a roll call, the vote was as follows: Commissioner Brown, no; Commissioner Cannon, yes; Commissioner Domahidy, yes; Commissioner Kirchoff, yes; Commissioner O'Brien, no; Commissioner Scruggs, yes; Chairman McGuinness, yes. The motion passed by a vote of 5 to 2.

- C. P.C. 93-88 Daniel Stegmann; "C-8" Planned Commercial District Site Development Concept Plan; southeast corner of Chesterfield Airport Road and Wild Horse Creek Road.

Planning Specialist Kleiner presented the request and the Department's recommendation of approval with conditions, as stated in the report.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a motion to approve the request with the conditions that:

- a) the Bond will be partially be refunded at the completion of the construction; and
- b) another portion of the Bond, amount to be determined by the Planning Department, be maintained for a two (2) year period in order to provide any necessary maintenance on this site, not accomplished by the owner.

The motion died for lack of a second.

Director Duepner stated that the Site Development Concept Plan is being submitted based on our Ordinance, in order to obtain a Grading Permit, and that Plan has to be approved. He said that if the property was zoned some other classification, not under a Planned District or a Special Procedure, the owner could apply for, and obtain, a Grading Permit on that property, without the approval of any site Plan or any Site Development. He further stated that the Bonds are required to ensure that the work is done, as required on the Grading Permit, as well as to ensure that the restoration and maintenance of the site is conducted, as prescribed.

- D. P.C. 129 & 130-85 Peachtree Limited (Peachtree Apartments):
Illumination for Site Identification Sign; east side of Olive
Boulevard, north of Schoettler Road.

Director Duepner presented the request and the Department's
recommendation of approval.

On behalf of the Site Plan Review Committee, Commissioner Kirchoff made a
motion to approve the Department's recommendation. The motion was
seconded by Commissioner Domahidy, and passed by a voice vote of 7 to 0.

The meeting adjourned at 8:15 p.m.

William Kirchoff, Secretary

[MIN7-23]