

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: July 13, 2004

SUBJECT: Planning and Zoning Committee Meeting Summary from July 8, 2004

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, July 8, 2004, in Conference Room 101. In attendance were: Chair Bruce Geiger (Ward II); Councilmember Jane Durrell (Ward I); and Councilmember Dan Hurt (Ward III). Also in attendance were Planning Commission Chair Victoria Sherman; Director of Planning Teresa Price; Senior Planner Annissa McCaskill-Clay; Project Planner Aimee Nassif; Project Planner Christine Smith Ross; and Mary Ann Madden, Planning Assistant.

Chair Geiger called the meeting to order at 5:33 p.m.

I. APPROVAL OF MEETING SUMMARY

Councilmember Durrell made a motion to approve the Meeting Summary of June 10, 2004. The motion was seconded by Councilmember Hurt and **passes by a voice vote of 3 to 0.**

II. OLD BUSINESS

- A. **P.Z. 6-2003: Villages at Kendall Bluff**: a request for a Planned Environment Unit (PEU) in a "R1A" Residential District for a 63.8 acre tract of land located on the north side of Olive Boulevard, east of Cordovian Commons Parkway and west of Old Riverwoods. Proposed Uses: Attached single family uses with accessory uses (Locator Number: 17R-53-0192)

Project Planner Christine Smith Ross handed out Attachment A, as amended by the Planning Commission and stated that on October 13, 2003 the Planning Commission passed two motions relative to this petition. A motion to amend Attachment A to include an eighty-foot setback on the eastern boundary adjacent to the Old Riverwoods subdivision passed by a vote of 8-1. A motion relative to the preservation of trees numbered 44 & 45 passed by a vote of 9-0. A third motion to recommend approval of P.Z. 06-2003 failed by a vote of 2-7. This petition comes forward as a failed petition.

In November, 2003, the petition was held by the Planning & Zoning Committee, pending resolution of issues. The petitioner submitted a revised plan to the Department on May 10, 2004.

Chairman Sherman stated that reasons why Commissioners voted against this petition included a second entrance which the Commissioners felt was too close to the road in Ladue Bluffs; the density of the project had the open areas towards the back; variances would have been required for the grading of the roads and the length of the cul-de-sac; erosion and water run-off issues; and tree preservation concerns.

Project Planner Smith Ross reviewed the Proposed Amendments.

Commissioner Hurt made a motion to approve all the Proposed Amendments with the exception of Items 3 and 9.18. Commissioner Durrell seconded the motion **and passes by a voice vote of 3 to 0.**

After discussion was held with reference to Item 3 of the Proposed Amendments, it was agreed that Item 3 would not be changed.

Councilmember Geiger made a motion to approve Item 9.18 of the Proposed Amendments with the following addition:

“No exception shall be granted by the Department of Public Works for new cut or fill slopes in excess of 3:1 along the western boundary of the development, adjacent to homes on Cardovian Commons Parkway. No grading shall be permitted within the 50’ building setback on the western boundary within 500’ of the right-of-way of Olive Road unless required for installation of utilities.”

Commissioner Durrell seconded the motion **and passes by a voice vote of 3 to 0.**

Councilmember Geiger made a motion to amend Attachment A, Section VII.B.1.d. to read as follows:

*“80’ from the eastern boundary of the Planned Environment Unit as measured from the boundary line shared with Old Riverwoods Subdivision **exclusive of decks.**”*

The motion dies due to the lack of a second.

Councilmember Hurt asked for a better description of the character of the neighborhood. Senior Planner Annissa McCaskill-Clay outlined the zoning designations of the surrounding area.

Councilmember Durrell made a motion to approve the recommended changes and forward **P.Z. 6-2003 Villages at Kendall Bluff** to City Council. Councilmember Geiger seconded the motion and **passes** by a voice vote of 2 to 1. (Councilmember Hurt voted no.)

***Note: One bill, as recommended by the Planning Commission,
will be needed for the July 19, 2004 City Council Meeting.
See Bill #**

- B. P.Z. 12-2004 City of Chesterfield (Underground Utility Service):** A request to amend Section 1003.167 (20) of the City of Chesterfield Zoning Ordinance to establish criteria for the first extension of underground utility service in a commercial area.

Project Planner Aimee Nassiff stated that this petition is a request by Staff that it be sent to the Planning Commission for Public Hearing. It came before the Planning & Zoning Committee in May, at which time it was held.

Councilmember Hurt stated that he has spoken to City Attorney Doug Beach about his concerns with the proposed language of 1003.167 Miscellaneous Regulations, Section 20, Underground Utility Service of Attachment A with respect to how the first extension of underground utilities is prorated among the parcels it serves.

Councilmember Hurt suggested that Staff contact Ameren UE to determine if they have a procedure in place for assessing the cost for the Missouri Research Park and Earth City with respect to first extensions of underground utility service.

Councilmember Hurt made a motion to allow Staff time to gather the requested information from Ameren UE and to resubmit **P.Z. 12-2004 City of Chesterfield (Underground Utility Service)** to the Planning & Zoning Committee at its July 22, 2004 meeting. Councilmember Durrell seconded the motion and **passes** by a voice vote of 3 to 0.

III. NEW BUSINESS

It was agreed to discuss Agenda Item B, P.Z. 05-2004 Kemp Foundation, first and then address Agenda Items A and C together.

- B. P.Z. 05-2004 Kemp Foundation:** A request for a Museum Arts Area (MAA) overlay for a 5.104-acre "PC" Planned Commercial District, located north of Chesterfield Airport Road, west of Baxter. (Locator Number 17T23-0091).

Project Planner Smith Ross stated that the Kemp Foundation is proposing no changes to the Site Development Plan. They are proposing adding a new architectural element of 8 wickets being 16' tall and 8' wide, which would contain banners promoting events inside the museum.

Councilmember Hurt made a motion to recommend approval and forward **P.Z. 05-2004 Kemp Foundation** to City Council. Councilmember Durrell seconded the motion and **passes** by a vote of 3 to 0.

**Note: One bill, as recommended by the Planning Commission,
will be needed for the July 19, 2004 City Council Meeting.
See Bill #**

- A. **P.Z. 03-2004 City of Chesterfield (Home Occupation)**: A request to amend Section 1003.020 of the Zoning Ordinance to allow for a new definition for Home Occupation and Section 1003.167 Miscellaneous Regulations of the Zoning Ordinance to allow for new criteria.

Project Planner Nassif stated that this is a request to amend the Zoning Ordinance to allow for a new definition and criteria for Home Occupation. She pointed out that the Attachment A includes "Hours of Operation" and addresses the issues of "Patrons" and "Clients" to the site, "Commercial Vehicles", the "Use of Existing Outbuildings" and "Prohibited Uses".

Ms. Nassif stated that there is a new definition for "kennel", which includes the definition for "dog sitting service".

It was agreed that the wording of "Prohibited Uses" of Attachment A would be rearranged to read as follows:

*"Animal hospital; kennel or dog sitting service of more than five (5) dogs
at a time, not including dogs owned by the homeowner; ..."*

Councilmember Geiger made a motion to change the language of "Use of Structure" of Attachment A to read as follows:

*"The home occupation shall occupy no more than 25% of the residence
including the basement and attached garage and existing outbuildings."*

Councilmember Hurt seconded the motion.

General discussion followed concerning a detached garage being used for parking commercial vehicles of the Home Occupation and whether this would violate the 25% restriction. After discussion, Councilmember Geiger withdrew his motion and Councilmember Hurt withdrew his second of the motion.

Councilmember Durrell made a motion to recommend approval and forward **P.Z. 03-2004 City of Chesterfield (Home Occupation)** to City Council. Councilmember Hurt seconded the motion **and passes by a vote of 3 to 0.**

**Note: One bill, as recommended by the Planning Commission, will be needed for the July 19, 2004 City Council Meeting.
See Bill #**

- C. **P.Z. 11-2004 City of Chesterfield (Kennel)**: A request to amend Section 1003.020 of the Zoning Ordinance to allow for a new definition of Kennel.

Councilmember Durrell made a motion to recommend approval and forward **P.Z. 11-2004 City of Chesterfield (Kennel)** to City Council. Councilmember Hurt seconded the motion **and passes by a vote of 3 to 0.**

**Note: One bill, as recommended by the Planning Commission, will be needed for the July 19, 2004 City Council Meeting.
See Bill #**

IV. INTERVIEW – PROPOSED PLANNING COMMISSION APPOINTMENTS

Planning Director Teresa Price handed out resumes for David Asmus and Tom Sandifer, proposed appointments to the Planning Commission. The Councilmembers agreed to interview Mr. Asmus and Mr. Sandifer prior to the next Council meeting.

V. PENDING PROJECTS/DEPARTMENTAL UPDATE

A. City Council Amendments

Planning Director Price recommended the following Policy of City Council amendments on Planning & Zoning items to be presented in Council packets as follows:

Green Sheets	Planning & Zoning Committee Amendments including those with “No Recommendation”
Pink Sheets	Amendments proposed by Planning & Zoning Committee members
Yellow Sheets	Amendments proposed by City Council Members not serving on Planning & Zoning Committee

Councilmember Durrell made a motion to approve the recommended Committee Policy. The motion was seconded by Councilmember Hurt and **passes** by a voice vote of 3 to 0.

VI. ADJOURNMENT

The meeting adjourned at 7:33 p.m