

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: April 23, 2004

SUBJECT: Planning and Zoning Committee Meeting Summary from April 22, 2004

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, April 22, 2004, in Council Chambers. In attendance were: Chair Bruce Geiger (Ward II), Councilmember Jane Durrell (Ward I), Councilmember Dan Hurt (Ward III) and Councilmember Connie Fults (Ward IV). Also in attendance were Councilmember Mike Casey (Ward III); Planning Commissioner Dan Layton; Senior Planner Annissa McCaskill-Clay; Project Planner David Bookless; Project Planner Kyle Dubbert; Project Planner Michael Hurlbert; Project Planner Christine Smith Ross; and Kathy Lone, Planning Assistant.

*To be discussed at the 5/3/2004 City Council Meeting.

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

I. Approval of the Planning and Zoning Committee Meeting Summary of March 18, 2004.

Councilmember Durrell made a motion to approve the Meeting Summary of March 18, 2004. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 2-0-2.** (Chair Geiger and Councilmember Fults abstained from voting since they were not on the Committee for the March 18, 2004 meeting.)

II. Selection of Officers and Committee Assignments

Chair Geiger made a motion to nominate Councilmember Fults for Vice Chair of the Planning and Zoning Committee. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4 to 0.**

Chair Geiger stated that he could be the Council Liaison to the Planning Commission but would miss some meetings in the first few months. Chair Geiger made a motion to nominate Vice Chair Fults as Council Liaison to the Planning Commission for the first two (2) to three (3) months. The motion was seconded by Councilmember Durrell and **passed** by a voice vote of 4 to 0.

Chair Geiger made a motion to nominate Councilmember Durrell as Council Liaison to the Board of Adjustment. The motion was seconded by Vice Chair Fults and **passed** by a voice vote of 4 to 0.

Vice Chair Fults made a motion to nominate Councilmember Hurt as Council Liaison to the Valley Master Development Study Committee. The motion was seconded by Chair Geiger and **passed** by a voice vote of 4 to 0.

Vice Chair Fults made a motion to nominate Councilmember Durrell as Council Liaison to the Landmarks Preservation Commission. The motion was seconded by Chair Geiger and **passed** by a voice vote of 4 to 0.

- III. **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)**: A request for a rezoning from “NU” Non-Urban District to “R-3” 10,000 square foot Residence District for 7.8 acre tract of land located on the north side of Olive Boulevard, east of Spyglass Summit Drive. (Locator Numbers 16R33-0453, 16R32-0232, 16R32-0195, 16R32-0130, 16R32-0938, 16R31-0837).

And

- IV. **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)**: a request for a Planned Environment Unit (PEU) Procedure in the “R-3” 10,000 square foot Residence District for a 7.8 acre tract of land located on the north side of Olive Boulevard, east of Spyglass Summit Drive. (Locator Numbers 16R33-0453, 16R32-0232, 16R32-0195, 16R32-0130, 16R32-0938, 16R31-0837).

Project Planner Christine Smith Ross gave an overview of **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)** and stated that these petitions were approved by the Planning Commission by a vote of 7 to 1.

General discussion followed concerning the detention basin agreement, setbacks from existing pavement of Olive Boulevard to the edge of the first structure, number of trees to be removed, and width of the entrance drive.

Councilmember Durrell expressed concern with the width of the entrance access and asked how slow a car would have to be moving to negotiate the turn into the development and not veer into the other lane.

General discussion followed concerning the stub street, lining up the access with Glenfield Ridge Court, closing Knollwood Drive and residents using the new access, and cross access for Old House at Hog Hollow and the Mansions at Spyglass.

Councilmember Hurt directed Staff to request that the Department of Public Works review and comment on lining up the entrance of the development with Glenfield Ridge Court.

Councilmember Durrell made a motion to refer **P.Z. 32-2003 Greater Missouri Builders (Chesterfield Crossing)** and **P.Z. 33-2003 Greater Missouri Builders (Chesterfield Crossing)** back to Staff for further review and return to the May 6, 2004 Planning & Zoning Committee Meeting. The motion was seconded by Vice Chair Fults and **passed by a voice vote of 4 to 0.**

- V. **P.Z. 34-2003 16713 Wild Horse Creek Road (Richard M. Demko)**: a request for a Commercial Service Procedure within an “NU” Non-Urban District for 1.194 acre tract of land located north of Wild Horse Creek Road, east of Appaloosa Way, and west of Wildhorse Elementary (Locator Number: 18T 51 0075).

Chair Geiger stated that a motion to approve **P.Z. 34-2003 16713 Wild Horse Creek Road (Richard M. Demko)** was denied by the Planning Commission by a vote of 4 to 5 and denied by the Planning and Zoning Committee by a vote of 3 to 1. Chair Geiger stated that the petitioner has filed an Appeal to the City Council which will require a Public Hearing at the Committee level. Chair Geiger stated that the attorney for the petitioner is requesting that the Public Hearing be held at the June 10, 2004 Committee meeting to allow time for the petitioner to meet with the neighboring residents.

General discussion followed concerning various public hearing dates due to scheduling of summer vacations and residents not wanting to meet with the petitioner.

Project Planner Michael Hurlbert stated that part of the reason that the petitioner is filing the appeal is to allow time to meet with the neighboring residents.

Councilmember Durrell made a motion to schedule the Public Hearing for the June 10, 2004 Planning and Zoning Committee meeting. **The motion died due to lack of a second.**

Ms. Jacqueline Demko, petitioner, stated that she is requesting the June 10, 2004 Public Hearing date to allow time to coordinate a meeting with the residents.

An attorney from the office of Jenkins and Kling, representing the Home Owners' Association of Appaloosa Way, stated that representatives of the Association could be present for the meeting and that the residents are concerned that other homes on Wild Horse Creek Road will become Commercial Service Procedures (CSP's). He also stated

that the residents want the Public Hearing to be held on May 20, 2004 so that residents could attend the City Council meeting in early summer before vacations.

General discussion followed concerning tabling this petition at the City Council level until the full Council is present and having both readings at the same City Council meeting.

Councilmember Durrell made a motion to have the Public Hearing at the June 10, 2004 Planning and Zoning Committee meeting. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 3 to 1.** (Vice Chair Fults voted nay.)

Planning Commissioner Dan Layton suggested that the meeting include residents from surrounding subdivisions.

***VI. St. Louis Family Church:** An amendment to City of Chesterfield Ordinance Number 1679 relating to the St. Louis Family Church development, zoned "PI" Planned Industrial District located on the south side of Chesterfield Airport Road, west of Valley Center Drive.

Project Planner David Bookless gave an overview of **St. Louis Family Church** and stated that this petition was approved by Planning Commission by a vote of 8 to 0.

General discussion followed concerning burying underground utilities and the green space percentage.

Councilmember Hurt directed Staff to verify the green space percentage before and after the addition.

Councilmember Hurt made a motion to include the following in Attachment A, Section 11. Miscellaneous:

- f. All utilities shall be installed underground. The development of this parcel shall coordinate the installation of all utilities in conjunction with the construction of any roadway on site. Utilities Easements that cross over Chesterfield Valley Master Stormwater Easement shall be subordinate to the Chesterfield Valley Stormwater Easements.
- g. Sleeves for future telecommunication services shall be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users.

The motion was seconded by Chair Geiger and **passed by a voice vote of 4 to 0.**

Councilmember Durrell made a motion to recommend approval of the amendment and forward **St. Louis Family Church** to City Council. The motion was seconded by Vice Chair Fults and **passed by a voice vote of 4 to 0.**

***Note:** One bill, as recommended by the Planning Commission will be needed for the May 3, 2004 City Council Meeting.
SEE Bill #

***VII. P.Z. 30-2003 City of Chesterfield (Medical Use District):** A request to amend the City of Chesterfield Zoning Ordinance for the establishment of Section 1003.127 creating a Medical Use District.

Project Planner Kyle Dubbert gave an overview of **P.Z. 30-2003 City of Chesterfield (Medical Use District)** and stated that this petition was approved with conditions by the Planning Commission by a vote of 8 to 0.

General discussion followed concerning medical incinerator language that was deleted by the Planning Commission.

Councilmember Durrell made a motion to recommend approval and forward **P.Z. 30-2003 City of Chesterfield (Medical Use District)** to City Council. The motion was seconded by Councilmember Hurt and **passed** by a voice vote of 4 to 0.

***Note:** One bill, as recommended by the Planning Commission will be needed for the May 3, 2004 City Council Meeting.
SEE Bill #

***VIII. P.Z. 37-2003 THE Chesterfield Commons Six:** a request for the following amendments to St. Louis County Ordinance 13, 933, governing a “C-8” Planned Commercial located on the north side of Chesterfield Airport Road, west of the intersection of Boone’s Crossing and Chesterfield Airport Road (17U520083).

Senior Planner Annissa McCaskill-Clay gave an overview of **P.Z. 37-2003 THE Chesterfield Commons Six** and stated that this petition was approved with conditions by the Planning Commission by a vote of 7 to 1. Ms. McCaskill-Clay stated that a condition for 30-foot light poles exclusive of the three (3) foot base is in Attachment A and the petitioner agreed to this change after discussion of adjacent properties during the course of review by the Planning Commission.

General discussion followed concerning language in Attachment A for burying utilities underground and permitted use (f) ‘Filling stations for automobiles’ and signage.

Councilmember Hurt made a motion for the following language to be added to Attachment A, (K) Miscellaneous:

- (4) All utilities shall be installed underground. The development of this parcel shall coordinate the installation of all utilities in conjunction with the construction of any roadway on site. Utilities Easements that cross over Chesterfield Valley Master Stormwater Easement shall be subordinate to the Chesterfield Valley Stormwater Easements.
- (5) Sleeves for future telecommunication services shall be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users.

The motion was seconded by Chair Geiger and **passed** by a voice vote of 4 to 0.

Councilmember Hurt made a motion to recommend approval of the amendment and forward **P.Z. 37-2003 THF Chesterfield Commons Six** to City Council. The motion was seconded by Chair Geiger and **passed** by a voice vote of 4 to 0.

***Note: One bill, as recommended by the Planning Commission will be needed for the May 3, 2004 City Council Meeting.
SEE Bill #**

- *IX. P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreens):** a request for the following amendments to City of Chesterfield Ordinance 1595 for a 23.0 acre "PC" Planned Commercial District located at the northwest corner of the intersection of Long Road and Chesterfield Airport Road (17U410027).

Senior Planner Annissa McCaskill-Clay gave an overview of **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreens)** and stated that this petition was approved by the Planning Commission by a vote of 6 to 2.

General discussion followed concerning access on Long Road versus Chesterfield Airport Road, the future determination to possibly remove the right-out portion of the access onto Long Road and to allow the right-in portion of the access to remain, full access on the east side of Long Road, levels of service for the various accesses, and signalization of intersections.

Mr. Kent Kehr, petitioner, stated that the curb cut on the east side of Long Road was granted by the Circuit Court in connection with a condemnation proceeding in 1969 that goes with the property. Mr. Kehr stated that the right-in/right-out access is necessary on the west side of Long Road so he is willing to give up the east access. Mr. Kehr stated that this has been approved by MoDOT.

Ms. McCaskill-Clay stated that City Attorney Doug Beach will have a written agreement with the petitioner by the time this petition reaches City Council.

Councilmember Hurt made a motion for the following language to be added to Attachment A, (J) Miscellaneous:

- (7) All utilities shall be installed underground. The development of this parcel shall coordinate the installation of all utilities in conjunction with the construction of any roadway on site. Utilities Easements that cross over Chesterfield Valley Master Stormwater Easement shall be subordinate to the Chesterfield Valley Stormwater Easements.
- (8) Sleeves for future telecommunication services shall be installed adjacent and/or parallel to any proposed roadway, or other location as directed by the City of Chesterfield, in order to facilitate the installation of utilities and telecommunication infrastructure for current and future users.

The motion was seconded by Chair Geiger and **passed by a voice vote of 4 to 0.**

Councilmember Hurt made a motion for the following to be added to Attachment A: 'Prior to issuance of permits, the petitioner shall provide to the City of Chesterfield an instrument relinquishing all rights to access on the east side of Long Road and establishing access.' The motion was seconded by Chair Geiger and **passed by a voice vote of 4 to 0.**

Vice Chair Fults made a motion to approve the right-in/right-out access on the west side but take away the condition for future removal if the City of Chesterfield determines that it is in the best interest of public health, safety and welfare and within sixty (60) days of receiving written notification from the City. **The motion died due to lack of a second.**

Vice Chair Fults made a motion that City Council shall have automatic power of review of the Site Development Plan for the subject development and that City Council will then take appropriate action relative to the proposal. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4 to 0.**

Councilmember Hurt made a motion to recommend approval of the amendments and forward **P.Z. 01-2004 Chesterfield Airport Acquisitions, LLC (Walgreens)** to City Council. The motion was seconded by Vice Chair Fults and **passed by a voice vote of 4 to 0.**

***Note: One bill, as recommended by the Planning Commission will be needed for the May 3, 2004 City Council Meeting.
SEE Bill #**

X. Pending Projects/Departmental Update

Ms. McCaskill-Clay stated that the second Planning and Zoning Committee meeting for June would be Wednesday, June 23, 2004 at 5:30 p.m. instead of Thursday, June 24, 2004.

The meeting adjourned at 7:52 p.m.

TP/kl

