



RECORD OF PROCEEDING

MEETING OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD AT 690 CHESTERFIELD PARKWAY WEST

February 6, 2006

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

Girl Scout Troop #646 from Parkway Central Middle School led everyone in the Pledge of Allegiance: Shannon Reader, Lea Cody, Madelaine Azar and Bria Nathanson. Also in attendance were Troop Leaders Eliz Nathanson and Julie Azar.

Mayor Nations followed with a moment of silent prayer.

Mayor Nations next presented a Proclamation to Donovan and Judith Collins for their efforts in cleaning up various rights-of-way throughout the City.

A roll call was taken with the following results:

PRESENT

ABSENT

Mayor John Nations
Councilmember Barry Flachsbart
Councilmember Jane Durrell
Councilmember Barry Streeter
Councilmember Bruce Geiger
Councilmember Dan Hurt
Councilmember Mike Casey
Councilmember Mary K. Brown
Councilmember Connie Fults

None

APPROVAL OF MINUTES

The minutes of the January 18, 2006, City Council meeting were submitted for approval. Councilmember Casey made a motion, seconded by Councilmember Durrell, to approve the City Council minutes. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

INTRODUCTORY REMARKS

Mayor Nations announced that City Hall would be closed Monday, February 20 in observance of President's Day Holiday.

Mayor Nations announced that the next meeting of City Council has been scheduled for Wednesday, February 22.

COMMUNICATIONS AND PETITIONS

Mike Doster spoke in support of Bill No. 2414 (P.Z. 28-2004, Blue Valley –Agricola Associates, LLC) as well as the proposed language to eliminate the number of drive-thrus.

Shawn Weiss spoke in support of Bill No. 2414 (P.Z. 28-2004, Blue Valley –Agricola Associates, LLC).

George Stock spoke in support of Bill No. 2414 (P.Z. 28-2004, Blue Valley –Agricola Associates, LLC) and Bill No. 2421 (P.Z. 15-2005, Chesterfield Airport Road Acquisitions LLC/Terra Corporate Park).

Mark Teitlebaum spoke in support of Bill No. 2417 (P.Z. 26-2005 (Chesterfield Ridge Phase II) and Bill No. 2418 (P.Z. 27-2005 (Chesterfield Ridge/Phase II).

Ed Holthaus spoke in support of Bill No. 2416 (P.Z. 22-2005, Wings Corporate Estates).

Mayor Nations recognized the Boy Scouts from Troop 623 who were attending the City Council meeting as a requirement for their Citizenship Badge and explained to them how City Council meetings are conducted, etc.

COUNCIL COMMITTEE REPORTS

Public Works/Parks Committee

Councilmember Barry Streeter, Chairperson of the Public Works/Parks Committee, reported that the next Committee meeting has been tentatively scheduled for February 16, at 5:30 p.m. However, Councilmember Streeter noted that this meeting may need to be changed. Staff will soon contact the members of this Committee with alternative dates/times.

Planning and Zoning Committee

Councilmember Mike Casey, Chairperson of the Planning and Zoning Committee, reported that the attorney for the Petitioner requested that the amended Site Development Concept Plan, Site Development Section Plan, Landscape Plan, Lighting Plan and Architectural Elevations for Justus Pointe at Chesterfield Village been held. Councilmember Casey made a motion, seconded by Councilmember Streeter to hold the “Justus Pointe” proposal, until the February 22 City Council meeting. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Councilmember Casey next reported that Bill No. 2420 (P.Z. 29-2005, Chris Schulenburg (14310 Olive Road) and Bill No. 2421 (P.Z. 15-2005, Chesterfield Airport Road Investments LLC (Terra Corporate Park) are both scheduled to be read for the first time and Bill No. 2422 (Approves record plat for lot 18-A, Wildhorse Springs), Bill No. 2414 (P.Z. 2004, Blue Valley (Agricola Associates, LLC), Bill No. 2416 (P.Z. 22-2005, Wings Corporate Estates), Bill No. 2417 (P.Z. 26-2005, Chesterfield Ridge), Bill No. 2418 (Chesterfield Ridge) and Bill No. 2419 (P.Z. 13-2005, Stallone’s Formal Wear) will be considered for adoption under the “Legislation” portion of the agenda.

Councilmember Casey announced that the next meeting of this Committee has been scheduled for Thursday, February 9 at 5:30 p.m.

REPORT OF THE CITY ADMINISTATOR

City Administrator Mike Herring reported that proposals were recently sought for supplemental testing services. Based on Director of Public Works/City Engineer Mike Geisel’s recommendation, he joined with him in recommending award of a contract to SCI Engineering, Inc., as the “first source” for these supplemental testing/inspection services. Should the need arise, the City will also utilize the firms of Shannon and Wilson, Shively Geotechnical, Quality Testing, PSI, Midwest Engineering Services and Terracon. Mr. Herring stated he has been assured by both Mr. Geisel and Director of Finance and Administration Jeremy Craig that adequate funds exist within the F.Y. 2006 Budget to cover this entire expense. Councilmember Streeter made a motion, seconded by Councilmember Geiger, to award a contract to SCI Engineering, Inc., as the “first source” for these supplemental testing/inspection services. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

Mr. Herring next reported that proposals were recently sought from qualified firms to provide inspection services with regard to the street reconstruction projects, citywide. Based upon review of the information provided by Mr. Geisel, Mr. Herring recommended award of a contract for these services to Shively Geotechnical and Midwest Engineering. He noted that \$200,000 has been budgeted for this expense. Councilmember Flachsbart made a motion, seconded by Councilmember Brown, to award a contract to Shively Geotechnical and Midwest Engineering for these inspection

services. A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

LEGISLATION – PLANNING COMMISSION

BILL NO. 2414 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR THREE (3) PARCELS OF LAND TOTALING 55.8 ACRES ON OLIVE STREET ROAD, LOCATED .5 MILES WEST OF THE INTERSECTION OF OLIVE STREET ROAD AND CHESTERFIELD AIRPORT ROAD (P.Z. 28-2004, BLUE VALLEY/AGRICOLA ASSOCIATES, L.L.C.) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Casey made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2414. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Flachsbart made a motion, seconded by Councilmember Hurt, that 30% of the lots may have drive-thrus and that there will be a maximum of two (2) drive-thrus, per building. A voice vote was taken with an affirmative result (Councilmember Brown voted “No”) and the motion was declared passed. Bill No. 2414, as amended, was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2414, as amended, with the following results: AYES - Geiger, Fults, Hurt, Durrell, Casey, Streeter, Flachsbart and Brown. NAYS - None. Whereupon, Mayor Nations declared Bill No. 2414 approved, passed it and it became **ORDINANCE NO. 2236**.

BILL NO. 2416 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “PI” PLANNED INDUSTRIAL DISTRICT FOR THREE (3) PARCELS TOTALING APPROXIMATELY 36.6 ACRES, LOCATED ON THE EAST OF SIDE OF EATHERTON ROAD, SOUTH OF OLIVE STREET ROAD AND ON THE NORTH SIDE OF WARDENBURG ROAD. (P.Z. 22-2005, WINGS CORPORATE ESTATES) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED) (NOTE: BLUE SHEET ATTACHED)**

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2416. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Casey made a motion to accept the revisions for Structure and Parking Setbacks which appear on the “blue sheet”. A voice

vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2416 was read for the second time, as amended. A roll call vote was taken for passage and approval of Bill No. 2416, as amended, with the following results: AYES - Fults, Geiger, Flachsbart, Streeter, Brown, Hurt, Durrell and Casey. NAYS - None. Whereupon, Mayor Nations declared Bill No. 2416 approved, passed it and it became **ORDINANCE NO. 2237.**

BILL NO. 2417 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CHANGING THE BOUNDARIES OF AN “NU” NON-URBAN DISTRICT TO A “R-5” 6,000 SQUARE FOOT RESIDENTIAL DISTRICT, FOR 2.67 ACRES OF LAND, LOCATED ON CLARKSON ROAD, SOUTH OF LEIMAN DRIVE. (P.Z. 26-2005, CHESTERFIELD RIDGE PHASE II) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2417. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2417 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2417, with the following results: AYES – Hurt, Flachsbart, Brown, Fults, Streeter, Durrell, Casey and Geiger. NAYS - None. Whereupon, Mayor Nations declared Bill No. 2417 approved, passed it and it became **ORDINANCE NO. 2238.**

BILL NO. 2418 REPEALS CITY OF CHESTERFIELD ORDINANCE NUMBER 1763 AND REPLACES IT WITH A NEW ORDINANCE ESTABLISHING A PLANNED ENVIRONMENT UNIT (PEU) SPECIAL PROCEDURE IN THE “R-5” 6,000 SQUARE FOOT RESIDENTIAL DISTRICT FOR A 10.97 ACRE TRACT OF LAND, LOCATED ON CLARKSON ROAD, SOUTH OF LEIMAN DRIVE (P.Z. 27-2005, CHESTERFIELD RIDGE PHASE II) **(SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, AS AMENDED)**

Councilmember Casey made a motion, seconded by Councilmember Durrell, for a second reading of Bill No. 2418. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Councilmember Casey made a motion, seconded by Councilmember Flachsbart, to amend Section E. 1. “Structure Setback”, Item 2b “Lot Criteria” Item b to read: Side yard setbacks shall be a minimum eight (8) feet from property lines. Property lines North 62 degrees, 00 minutes, 42 seconds, West shall have a 0 Degree setback”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2418 was read for the second time, as amended. A roll call vote was taken for passage and approval of Bill No.2418, as amended, with the following results: AYES – Geiger, Hurt, Brown, Casey, Fults, Durrell,

Streeter and Flachsbart. NAYS - None. Whereupon, Mayor Nations declared Bill No. 2418 approved, passed it and it became **ORDINANCE NO. 2239.**

BILL NO. 2419 AMENDS THE ZONING ORDINANCE BY CHANGING THE BOUNDARIES OF AN “R-3” RESIDENCE DISTRICT TO A “PC” PLANNED COMMERCIAL DISTRICT FOR A .42 ACRE TRACT OF LAND, LOCATED ON THE SOUTH SIDE OF CONWAY ROAD, 700 FEET WEST OF ITS INTERSECTION WITH CHESTERFIELD PARKWAY EAST (P.Z. 13-2005, STALLONE’S FORMAL WEAR/PHILLIP AND CANDACE STALLONE) (**SECOND READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Geiger, for a second reading of Bill No. 2419. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2419 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2419, with the following results: AYES – Flachsbart, Durrell, Streeter, Brown, Casey, Geiger, Fults, and Hurt. NAYS - None. Whereupon, Mayor Nations declared Bill No. 2419 approved, passed it and it became **ORDINANCE NO. 2240.**

BILL NO. 2420 AMENDS THE ZONING ORDINANCE OF THE CITY OF CHESTERFIELD BY CREATING A RESIDENTIAL BUSINESS USE PROCEDURE WITHIN AN “R-2” DISTRICT FOR A 0.48 ACRE TRACT OF LAND LOCATED AT 14310 OLIVE ROAD (P.Z. 29-2005, CHRIS SCHULENBURG (CLARK FINANCIAL SERVICES)) (**FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL**)

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2420. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2420 was read for the first time.

Councilmember Durrell made a motion, seconded by Councilmember Flachsbart, to suspend the rules to allow for a second reading of this legislation at this meeting, due to time constraints and the fact that there has been NO OPPOSITION expressed, during the entire process of review. She further added that she had spoken to several neighbors and they were in support of this project.

Councilmember Casey made a motion, seconded by Councilmember Durrell, for a second reading of Bill No. 2420. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2420 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2420, with the following results: AYES – Flachsbart, Casey, Durrell, Streeter, Brown, Hurt, Fults and Geiger. NAYS - None. Whereupon, Mayor Nations declared Bill No. 2420 approved, passed it and it became **ORDINANCE NO. 2241.**

BILL NO. 2421 REPEALS CITY OF CHESTERFIELD ORDINANCE 1708 AND REPLACES IT WITH A NEW ORDINANCE WITH AMENDMENTS RELATIVE TO ADDITIONAL PERMITTED USES AND AMENDMENTS TO SEVERAL AREA, HEIGHT, LOT AND SETBACK REQUIREMENTS FOR A 24.9-ACRE “PI” PLANNED INDUSTRIAL DISTRICT LOCATED ON THE NORTH SIDE OF CHESTERFIELD AIRPORT ROAD ACROSS FROM ITS INTERSECTION WITH TRADE CENTER BOULEVARD (P.Z. 15-2005, CHESTERFIELD AIRPORT ROAD ACQUISITIONS LLC/TERRA CORPORATE PARK) **(FIRST READING – PLANNING COMMISSION RECOMMENDS APPROVAL; PLANNING AND ZONING COMMITTEE RECOMMENDS APPROVAL, BUT ONLY IF AMENDED AS DETAILED IN THE ENCLOSED GREEN SHEET)**

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2421. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2421 was read for the first time, as amended. Councilmember Casey made a motion, seconded by Councilmember Fults, to adopt revisions contained within the “green sheet”. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. A motion was made by Councilmember Casey, seconded by Councilmember Fults, to amend Attachment A, Page 6, Item 2b by adding “with the exception of shared driveways.” A voice vote was taken with a unanimous affirmative result and the motion was declared passed.

BILL NO. 2422 PROVIDES FOR THE APPROVAL OF A RECORD PLAT FOR LOT 18-A (FORMERLY COMMON GROUND ”E”) OF WILDHORSE SPRINGS, A 19,566 SQUARE FOOT TRACT OF LAND IN THE WILDHORSE SPRINGS SUBDIVISION, ZONED, “R-2” RESIDENTIAL, LOCATED 3700 FEET FROM WILDHORSE CREED ROAD AND BAXTER ROAD **(FIRST AND SECOND READINGS – PLANNING COMMISSION RECOMMENDS APPROVAL)**

Councilmember Casey made a motion, seconded by Councilmember Brown, for the first reading of Bill No. 2422. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2422 was read for the first time.

Councilmember Casey made a motion, seconded by Councilmember Brown, for a second reading of Bill No. 2422. A voice vote was taken with a unanimous affirmative result and the motion was declared passed. Bill No. 2422 was read for the second time. A roll call vote was taken for passage and approval of Bill No. 2422, with the following results: AYES – Geiger, Fults, Hurt, Brown, Streeter, Durrell, Casey and Flachsbar. NAYS - None. Whereupon, Mayor Nations declared Bill No. 2422 approved, passed it and it became **ORDINANCE NO. 2242.**

ADJOURNMENT

Mayor Nations adjourned the meeting at 7:47 p.m.

Mayor John Nations

ATTEST:

Martha L. DeMay, City Clerk