

V

OF THE CITY OF CHESTERFIELD
AT CHESTERFIELD CITY HALL
October 9, 1989

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

PRESENT

ABSENT

Chairman Barbara McGuinness	Mr. Charles Bryant
Mr. Edward Bidzinski	Ms. Kimberly Burnett
Ms. Mary Brown	Ms. Mary Domahidy
Mr. Lester Golub	Dr. Alan Politte
Mr. William Kirchoff	
Mr. Dick Hrabko, Ward IV Councilman	
Mr. Doug Beach, City Attorney	
Mr. Jerry Duepner, Director of Planning/Economic Development	
Ms. Sandra Lohman, Executive Secretary Department of Planning	

INVOCATION: Jerry Duepner, Director Department of Planning/Economic Development

PLEDGE OF ALLEGIANCE: Mr. Ed Levinson

INTRODUCTORY REMARKS - Commissioner William Kirchoff

PUBLIC HEARINGS

- A. P.Z. 30-89 City of Chesterfield Planning Commission; c/o City of Chesterfield Department of Planning/Economic Development, 922 Roosevelt Parkway, Chesterfield, MO 63017. A proposal to revise the Zoning Ordinance of the City of Chesterfield by amending Section 1003.168 Sign Regulations relative to subdivision information and direction signs.

Mr. Duepner summarized the present sign regulations, and the recommendation of the Ordinance Review Committee concerning amendment to the Zoning Ordinance relative to subdivision information and direction signs.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION

Mr. Ed Levinson, on behalf of the Home Builder's Association.

QUESTIONS/CONCERNS RAISED BY COMMISSION MEMBERS

- o Possibility of uniform setback distance for all signs of a certain size/type.
- o Study to determine visibility of letters on signs according to the size of letters.
- o Control of illegal signage by the City by bond/renewal fees.
- o Responsibility of signs shared by both property owner and sign owner.
- o Status of signs already approved by the City.

REBUTTAL

Mr. Duepner stated the following:

- o No study has been conducted, to date, to determine visibility of signs relative to size of lettering on same.
- o Posting of a bond is required by the current City of Chesterfield Zoning Ordinance.
- o The permit process for signs requires an application to the City indicating the size, location, and information to be shown on the sign. The City gives zoning authorization, this authorization is taken to St. Louis County for the actual permit.
- o Any object over six (6) feet in height is considered to be a structure, whether it be a sign, fence, wall, etc.; therefore, it has to observe the setbacks of the Zoning District. If a structure is less than six (6) feet in height, it may be in the front yard area, provided there are no visual obstructions or site distance problems relative to the structure.
- o Home builder's who have obtained permits for signs in the area along Highway 40 have to observe a setback from the outer roadway, because this roadway is in the overall right-of-way of the State Highway Department. Therefore, rather than observing a setback from the main lanes of Highway 40, their setback has to be from the edge of the right-of-way which includes the Outer Road.
- o Signs, which currently have a permit, would have to be brought into compliance at the time of their renewal.
- o Currently signs have to observe setback restrictions of the District in which they are placed.

A show of hands indicated 0 in favor, and 1 opposed.

- B. P.Z. 31-89 City of Chesterfield Planning Commission; c/o City of Chesterfield Department of Planning/Economic Development, 922 Roosevelt Parkway, Chesterfield, MO 63017. A proposal to revise the Zoning Ordinance of the City of Chesterfield by amending Section 1003.101 "FP" Flood Plain District Regulations to allow a portion of a residential lot within the flood plain.

Mr. Duepner presented the proposed amendment to revise the Zoning Ordinance to allow a portion of a residential lot within the flood plain, with the stipulation of a minimum setback requirement from the boundary.

QUESTIONS/CONCERNS RAISED BY COMMISSION MEMBERS

- o Notification of buyer, prior to purchase of land.
- o Builder's utilization of flood plain area for credit in density calculations.
- o Formula to be used.
- o Lenders inspect plat to ensure that the buyer has flood plain insurance, thus providing a check and balance system.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION - None

REBUTTAL - None

A show of hands indicated 3 in favor, and 0 opposed.

- C. P.Z. 32-89 City of Chesterfield Planning Commission; c/o City of Chesterfield Department of Planning/Economic Development, 922 Roosevelt Parkway, Chesterfield, MO 63017. A proposal to revise the Zoning Ordinance of the City of Chesterfield by amending Section 1003.200 Administration, Enforcement and Permits, and Section 1003.410 Penalties for Violation of Zoning Ordinance relative to enforcement of provisions of the Zoning Ordinance of the City of Chesterfield.

Mr. Duepner stated the request relative to enforcement of provisions of the Zoning Ordinance. The proposed change would allow, at the time of the first inspection, for a violation notice to be given to the property owner, or posted on the property and, if necessary, mailed. It would be a standard form filled-in by our Inspector. If the violation has not been abated at the time of the follow-up inspection, then a summons would be issued, and the matter would be turned directly over to the Prosecuting Attorney for appropriate action. This procedure is successfully utilized by several other municipalities.

COMMENTS/CONCERNS RAISED BY COMMISSION MEMBERS

- o How much time is presently spent to act on a complaint?
- A We attempt to follow-up within three to four days from receipt of the complaint. A Code Inspector has recently been added to the Department of Planning/Economic Development in order to expedite this procedure.
- o What time period is allotted to violators in order to comply with City regulations?
- A The Department makes this determination according to established Department policy.
- o Who would be issued the notice of violation?
- A A notice would be sent to both the owner of the property, and the owner of the object in violation.

SPEAKERS IN FAVOR - None

SPEAKERS IN OPPOSITION - None

A show of hands indicated 3 in favor, and 0 opposed.

APPROVAL OF THE MINUTES - The minutes of the Planning Commission Meeting of September 25, 1989 were approved.

COMMITTEE REPORTS

Comprehensive Plan Committee

Mr. Duepner gave the following report:

The Comprehensive Plan Committee met on September 27th. The principal topic of discussion was the upcoming workshops for the Comprehensive Plan. The workshops are scheduled for October 12th, October 18th, October 25, and October 30th. They will be held in the City Council Chambers beginning at 7:00 p.m. Drafts of the Land Use Plan, Circulation Plan and the Open Space Recreation Plan will be presented at the workshops and discussed by the Citizen's Advisory Group. Copies of the maps were sent to all the members of the Citizen's Advisory Group, as well as to the members of the Comprehensive Plan Steering Committee. We do plan to have a workshop for the general public prior to the overall public hearing on the plan, some time after the first of the year.

Ordinance Review Committee

Mr. Duepner gave the following report:

The Ordinance Review Committee met on September 25th, with three (3) items on the agenda.

- (1) The discussion of underground utility requirement. The Committee instructed the Staff to research this matter further in order to determine what can be done to require that all utilities be located underground.
- (2) The discussion of off-site signs for churches. This matter was referred by the Planning and Economic Development Committee for consideration. Currently, churches and houses of worship are not allowed to have off-site signs providing information on their location or the services provided.

In response, the Ordinance Review Committee made a recommendation, as noted previously.

- (3) The appeal process for Special Procedures in the Zoning Ordinance. It was recommended that this item be placed on schedule for a public hearing. It is anticipated that there will be a public hearing on this Zoning Ordinance amendment on November 13th.

Mr. Duepner requested a vote by the Commission regarding the Ordinance Review Committee's recommendation of no change in the present regulations concerning off-site signs for churches and houses of worship. The Committee had raised concern relative to its continued interest about the proliferation of signs throughout the City.

A motion to recommend to the Planning and Economic Development Committee to make no change in the present sign regulations was made by Mr. Bidzinski and seconded by Mr. Golub. Upon a roll call the vote was as follows: Mr. Bidzinski, yes; Ms. Brown, yes; Mr. Golub, yes; Mr. Kirchoff, no; Chairman McGuinness, yes. The motion passed by a vote of 4-1.

OLD BUSINESS - None

NEW BUSINESS

- A. P.Z. 28-89 City of Chesterfield Planning Commission; amending Section 1005.080 "Improvements Installed or Guaranteed," Section 1005.085 "Acceptance and Final Approvals," and Section 1005.265 "Disclosure of Responsibility for Street Maintenance" of the Subdivision Ordinance of the City of Chesterfield.

Mr. Duepner presented the proposal and the Department's recommendation to table this matter until such time as the Public Works Committee has completed its review and recommendation of policies relative to enforcement of this amendment.

A motion to table this matter was made by Mr. Bidzinski and seconded by Mr. Kirchoff. The motion was approved by a voice vote of 5 to 0.

- B. A Notice of Protest of the recommendation of approval by the Planning Commission for a Planned Environment Unit Procedure; P.Z. 18-89 Charles Liebert; west side of Schoettler Road, at Westerly Drive.

Mr. Duepner reported that the Notice of Protest has been received and has been determined to be valid. The Department is awaiting the submittal of the Protest Statement from the Protestants.

This item was received and filed.

- C. Correspondence from John L. Shaw requesting extension of time for submittal of site development plan; P.C. 92-88 Daniel K. Stegmann; west side of Wild Horse Creek Road, south of Chesterfield Airport Road.

Mr. Duepner stated the request and the Department's recommendation to grant an extension of one (1) year, to November 10, 1990.

A motion to approve the Department's recommendation was made by Mr. Golub and seconded by Mr. Kirchoff. The motion passed by a voice vote of 5 to 0.

- D. Planning Commission Status Sheet.

Mr. Duepner stated that this item is to be received and filed for information. He further stated that it is the quarterly installment of the Planning Commission's Status Sheet, and that future Status Sheets will not reflect those items which have already been acted upon by the Commission.

This item was received and filed.

- E. P.Z. 29-89 Midland-Capitol Properties I; "NU" Non-Urban District, "R-1" One Acre Residence District, "R-1A" 22,000 square foot Residence District, and "C-8" Planned Commercial District to "C-8" and amended "C-8" Planned Commercial District; 9.296 acre tract located on the east side of Clarkson Road, approximately 800 feet north of Baxter Road.

Mr. Duepner stated that, in keeping with Planning Commission policy, the Department would recommend that this matter be held until the next meeting.

Chairman McGuinness read two letters into the record relative to this item. One letter was from Ms. Domahidy and the other from Dr. Politte, noting concerns about this proposal.

COMMENTS/CONCERNS

Ms. Brown concurred with both letters, suggesting that the setbacks be a minimum of 150 feet.

Mr. Golub concurred with Ms. Brown.

Mr. Kirchoff suggested that a minimum setback of 75 feet to 100 feet would be appropriate. He further stated that he would like to see sidewalks to accommodate pedestrian traffic, and more sections from the developer for review by the Commission (as was previously requested at the Public Hearing).

A motion to hold this item was made by Ms. Brown and seconded by Mr. Golub. The motion was approved by a voice vote of 5 to 0.

SITE PLANS, BUILDING ELEVATIONS, AND SIGNS

- A. P.C. 104-84 Barken and Dubinsky (Valley Center); "C-8" Planned Commercial and "M-3" Planned Industrial Districts amended site development concept plan; south side of Chesterfield Airport Road, east of Long Road.

Mr. Duepner stated the request and the Department's recommendation of approval.

A motion to approve the request was made by Mr. Bidzinski and seconded by Mr. Kirchoff. The motion was approved by a voice vote of 5 to 0.

The meeting adjourned at 8:55 p.m.

Mr. Charles Bryant - Secretary

[MIN10-9]