

SUMMARY
PLANNING AND ZONING COMMITTEE MEETING
FEBRUARY 22, 1996

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:37 p.m., on Thursday, February 22, 1996, in the City Council Conference Room. In attendance were Chairman Ed Levinson (Ward II); Councilmember Barry Flachsbart (Ward I); Councilmember Dan Hurt (Ward III); and Councilmember Mike Cullen (Ward IV). Also in attendance were: Mayor Jack Leonard; Mike Herring, City Administrator; Laura Griggs-McElhanon, Acting Director of Planning; Mike Geisel, Director of Public Works/City Engineer, and Joe Hanke, Planner II.

ITEM I. Approval of Planning and Zoning Committee meeting summary of January 18, 1996.

A motion for approval was made by Councilmember Cullen, seconded by Councilmember Hurt and approved by a vote of 4 to 0.

ITEM II. **P.Z. 35-95 Caplaco 24, Inc. (Kehrs Mill Crossing)**; "NU" Non-Urban and "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial district and an amended Planned Environment Unit Ordinance in the "R-2" 15,000 square foot Residence District; intersection of Clarkson and Kehrs Mill Road, east side of Clarkson Road.

Chairman Levinson noted that the City Council, at their meeting on February 21, 1996, had set a date for the Public Hearing on this petition, which is in response to a valid protest being filed with the City. On March 13, 1996, a Public Hearing will be held before the Planning and Zoning Committee, beginning at 6:00 p.m. in the City Council Chambers. This rezoning request will be discussed at the next Committee meeting, on March 7, 1996, and all documentation relative to this request will be included in the meeting packet.

ITEM III. **P.Z. 36-95 Leo B. Pelligreen, Jr. and Marilyn A. Henske (Sooner Investment Group)**; "R-3" 10,000 square foot Residence District to "C-8" Planned Commercial District and approval of a development plan for a .4 acre parcel within an existing "C-8" Planned Commercial District established by City of Chesterfield Ordinance No. 623; south side of Olive Boulevard, approximately two hundred (200) feet west of Chesterfield Parkway North, and on the west side of Chesterfield Parkway north, approximately one hundred and eighty (180) feet south of Olive Boulevard.

Acting Director of Planning Griggs-McElhanon summarized the rezoning request, which will allow for the development of a 24 hour fast food restaurant, and will require a Public Hearing prior to establishing permitted uses on the property adjacent to Chesterfield Parkway North.

Al Michenfelder, attorney for the petitioner, stated that all conditions are acceptable. He clarified that at the Public Hearing, the original request to establish permitted uses for tracts B & C was withdrawn. Initially, those tracts will only be used for driveway access from Chesterfield Parkway North to the Taco Bell.

There was discussion of what type of maintenance agreement there will be between the property owner and the operator of Taco Bell for maintaining the property (picking up trash).

There was discussion of what type of easement across Tracts B&C will be established for access from the Parkway for the Taco Bell.

Chairman Levinson stated that he is concerned over the proposed location of the access drive from the Parkway.

The Chairman directed that this matter be tabled to allow the petitioners to discuss these issues.

ITEM VI. Memorandum from the Acting Director of Planning regarding Off Street Parking for Residential Developments.

Acting Director of Planning Griggs-McElhanon summarized the information provided by staff, which was taken from available documentation in the Planning Department (PAS Report, Lane Kendig draft of Land Development Regulations).

Chairman Levinson stated that he had opposed the Chesterfield Farms multi-family development because of the lack of necessary off street parking spaces. He had asked staff to research this matter and bring it before the Committee. He stated that he is willing to give up green space to accommodate off street parking spaces.

Acting Director of Planning Griggs-McElhanon stated that this matter should be referred to the Ordinance Review Committee of the Planning Commission.

Chairman Levinson stated that this recommended revision will be coming from the Planning and Zoning Committee, and the Planning Commission can change the recommendation if they choose.

Councilmember Cullen stated that there needs to be a definition of when an additional .25 parking spaces per dwelling unit should be used, when an additional .35 parking spaces per dwelling unit should be used, and when an additional .15 parking spaces per dwelling unit should be used.

Councilmember Flachsbart stated that maybe the location of the off street parking is "convenient" to the housing units, maybe the requirement should be less and if the off street parking is "not convenient" to the housing units, maybe the requirement should be more.

Chairman Levinson stated that requiring off street parking spaces could actually increase green space because of a potential decrease density.

Utilizing an additional .25 parking spaces per dwelling unit as the standard, Staff was directed to develop criteria for when it should be more and when it should be less and bring this issue as quickly as possible.

ITEM V. Memorandum from the Acting Director of Planning regarding Northeast Annexation.

Acting Director of Planning Griggs-McElhanon summarized the additional information provided by Police Chief Johnson and Finance Director Hawn in response to questions raised by the Committee at their meeting on January 18, 1996.

Director of Public Works/City Engineer Mike Geisel commented that he is familiar with the previous street work in the area. The overlays have begun to crack, which is to be expected after 3 years. The City of Chesterfield standards are somewhat higher than that in the proposed annexation area now. He stated that the streets in the proposed annexation are similar to the current streets in Ward I.

Chairman Levinson inquired if the proposed police sector for the annexation area would improve the current sectors or does it reduce the size of existing sectors. He asked that a mock up of a revised sector map be provided to the Committee.

Councilmember Flachsbart stated that adding that sector would increase the number of cars that are available to be pulled as back up from 1 sector to another. He requested that the County records for the police protection in that area be evaluated.

Chairman Levinson requested more information from staff relative to sales tax revenue coming from that area for the past couple of years. He requested that a specific list of the stores in the area be provided to the Committee and that the projected revenue from 1/2 cent and 1/4 cent sales tax be calculated.

City Administrator Herring stated that the St. Louis County Boundary Commission is still not ready to receive any proposals.

ITEM III. **P.Z. 36-95 Leo B. Pelligreen, Jr. and Marilyn A. Henske (Sooner Investment Group)**

(at 6:23 p.m. resumed discussion of this petition)

Al Michenfelder discussed the drive location issue. He stated that the location of the access driveway over Tracts B and C is subject to change in the future, dependent on uses which are approved for Tracts B and C, as well as the location of the cross access to adjacent property.

There was discussion of potential future development of Tracts B and C. Concern was expressed that there could be too many curb cuts on Chesterfield Parkway North.

Councilmember Flachsbart stated he feels that the cross access easement should be located within a specified distance of Chesterfield Parkway North.

Chairman Levinson noted that the direction of the Committee is that the cross access easement should be located as close to Chesterfield Parkway North as possible.

A motion to amend Attachment A by adding the following two (2) conditions:

- 1) Before approval of the Final Development Plan, a maintenance agreement between operator and property owner relative to maintenance of Tract B & C will be submitted to the City for review and approval. Prior to approval of any subsequent Re-Occupancy Permit Applications or Zoning Approvals, a new maintenance agreement between the operator and property owner must be submitted to the City for review and approval.
- 2) The developer shall be required to record with St. Louis County the easement for access for Tract A from Chesterfield Parkway North, across Tracts B and C.

and recommend **approval** was made by Councilmember Flachsbart, seconded by Councilmember Cullen and approved by a vote of 3 to 1, with Chairman Levinson voting no.

Note: Two (2) bills relative to this matter will be needed for the March 4, 1996, City Council Meeting. A bill as recommended by the Planning Commission and a bill as recommended by the Planning and Zoning Committee.

ITEM VI. **P.Z. 16-95 City of Chesterfield Planning Commission;** a proposal to amend Section 1003.168D Temporary Signs of the City of Chesterfield Zoning Ordinance (regarding political signs).

Acting Director of Planning Griggs-McElhanon summarized the revisions, which would eliminate the requirement for removal of political signs within seven (7) days after an election. In addition, the issue of political signs on billboards is now addressed, and the section has been revised to be generic in nature, so that it also addresses elections for bond issues.

Chairman Levinson stated that his concern is that the restriction on the size of the sign(s) is not enforceable.

A motion was made by Councilmember Hurt to **approve** the amendment. The motion died for lack of a second.

Chairman Levinson stated that he feels it inappropriate for City staff to have to remove political signs from the right-of-way.

Councilmember Flachsbart stated that he had a problem with limiting the number and size of the signs.

A motion to **table** the petition was made by Chairman Levinson, seconded by Councilmember Cullen and approved by a vote of 4-0.

ITEM VII. **P.Z. 32-95 City of Chesterfield Planning Commission**; a proposal to amend Sections 1003.193 Appeal and Protest Procedure for Special Procedures; and 1003.300 Procedure for Amending the Zoning Ordinance of the City of Chesterfield Zoning Ordinance.

The Committee directed this item be **held**.

ITEM VIII. Memorandum from the Acting Director of Planning regarding Conditional use Permits in Residential Zoning Districts.

City Administrator Herring clarified that this item had been placed on the Committee agenda at the request of Councilmember Streeter, Ward II.

The Committee directed this item be **held**.

ITEM IX. Memorandum from the Acting Director of Planning regarding Temporary Signs (P.Z. 11-93 City of Chesterfield Planning Commission).

The Committee directed this item be **held**.

ITEM X. Memorandum from the Acting Director of Planning regarding West Area Study.

City Administrator Herring clarified that this item had been placed on the Committee agenda at the request of Councilmember Tilley, Ward IV.

Councilmember Cullen will talk to Councilmember Tilley on this issue prior to the next meeting.

The Committee directed this item be **held**.

The meeting adjourned at 6:50 p.m.