

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: February 28, 2005

SUBJECT: Planning & Zoning Committee Meeting Summary – **February 24, 2005**

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, February 24, 2005 in Conference Room 101.

In attendance were: **Chair Bruce Geiger** (Ward II); **Councilmember Jane Durrell** (Ward I); **Councilmember Connie Fults** (Ward IV) and **Councilmember Dan Hurt** (Ward III). Also in attendance were Councilmember Mike Casey, (Ward III); Teresa Price, Director of Planning; and Mary Ann Madden, Planning Assistant.

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

I. APPROVAL OF MEETING SUMMARY

Councilmember Fults made a motion to approve the Meeting Summary of January 20, 2005. The motion was seconded by Councilmember Hurt and **passed by a voice vote of 4 to 0.**

II. OLD BUSINESS

A. Miscellaneous

Chair Geiger referred to the minutes of the January 20, 2005 meeting where the question was raised as to whether there is an ordinance in the City of Chesterfield that prohibits a builder taking lot deposits before the land is zoned. Chair Geiger stated that this issue arose in the February 23rd City Council Meeting with respect to the Fox Hill Farms development. Teresa Price, Director of Planning, said she would have this subject researched.

III. NEW BUSINESS

- A. Chesterfield Oaks (Capitol Land Company): A request for an amendment to City of Chesterfield Ordinance 2132, Section I(B)(3) for a change in operating hours.

Chair Geiger stated that the request involves amending Section I(B)(3) of Ordinance 2132 to allow a bakery/coffee shop restaurant to open at **6:00 a.m.** instead of 7:00 a.m. The bakery/coffee shop is a St. Louis Bread Company restaurant located at the west end of building A, closest to Clarkson and farthest away from residences.

General discussion was held regarding the ordinance governing trash pick-up and delivery times. Councilmember Casey indicated that trash cannot be picked up anywhere in the City before 6:00 or 7:00 a.m.

Councilmember Hurt made a motion to accept the request from **Chesterfield Oaks (Capitol Land Company)** and to forward it to Council with a recommendation for approval. The motion was seconded by Councilmember Durrell and **passed by a voice vote of 4 to 0.**

Note: One bill, as recommended by the Planning Commission, will be needed for the March 7, 2005 City Council Meeting. See Bill #

B. Rezoning Request for Bowtie Area

Councilmember Fults stated that there is a lot of concern on the part of the residents in the bowtie area regarding the current petition requesting a rezoning from “NU” Non-Urban to “PC” Planned Commercial District for a 10.243-acre parcel located north of Wild Horse Creek Road, approximately 500’ west from Wildhorse Parkway. Since the residents are opposed to an Office Campus and are requesting that the area be developed residentially, they have expressed concern that other developers may submit additional petitions for Office Campus while the current petition is under review.

Councilmember Fults questioned whether a moratorium could be put on accepting new petitions for the bowtie area until a decision is made on the current petition. She noted that the residents and the Planning Commission have raised a lot of issues regarding the use of this land.

During general discussion of this issue, the following was noted:

- The current petition is for 10 acres out of 100 acres in the bowtie area. The 100 acres are owned by various landowners – not just one landowner.
- No other petitions have been presented at this time for the bowtie area for Office Campus.

- The current petition will be on the Planning Commission's Agenda for March 14, 2005. At that time, the noise consultant will be available to address any issues relating to airport noise and the status of the Noise Study.
- Staff will provide the Planning Commission with a total history of why this area was designated Office Campus in the Comprehensive Plan.
- If a use in the Comprehensive Plan is changed, it will have to go through the entire process of Public Hearings.
- All petitions submitted to the Planning Department are accepted. If the petition is contrary to the Comprehensive Plan, the petitioner is informed of this but the petition can still be submitted and must be accepted. It was noted that if a developer came in with a plan for residential development in the bowtie area, it would be accepted for presentation to the Planning Commission. Petitioners are always told they have the right to come forward even if the request goes against the Comprehensive Plan.

It was then agreed that Ms. Price would contact City Attorney Doug Beach for his legal opinion on the possibility of putting a hold on the acceptance of new petitions for the bowtie area until a decision has been made on the current petition for Office Campus. City Attorney Beach would also be asked what procedures would be necessary to change the Comprehensive Plan if that is what is decided.

IV. PENDING PROJECTS/DEPARTMENTAL UPDATE

V. ADJOURNMENT

The meeting adjourned at 5:56 p.m.