

# MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning <sup>1</sup>

DATE: March 29, 1999

SUBJECT: Planning and Zoning Committee Meeting Summary from March 18, 1999

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A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, March 18, 1999, in the City Council Conference Room. In attendance were: Chair Dan Hurt (Ward III) (arrived later); Councilmember Barry Flachsbart (Ward I); Councilmember Barry Streeter (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Mayor Nancy Greenwood; Councilmember Larry Grosser (Ward II); Councilmember Michael Casey (Ward III); Councilmember Linda Tilley (Ward IV); Planning Commission Vice Chair Dan Layton; Teresa J. Price, Director of Planning; and, Laura Griggs-McElhanon, Assistant Director of Planning.

\*To be discussed at 4/19/1999 City Council Meeting.

## I. Approval of Planning and Zoning Committee meeting summary of March 4, 1999.

A motion to **approve** the meeting summary of March 4, 1999, as corrected (page 4, ADD ON, change reference to Councilmember Grosser to Councilmember **Tilley**, was made by Councilmember Streeter, seconded by Councilmember Brown, and **approved by a vote of 2 to 0 to 1**, with Councilmember Flachsbart abstaining because he was not in attendance.

## II. P.C. 108-86 Shell Oil Company – Ordinance Amendment (Equilon Enterprise L.L.C.); a request to amend Ordinance Number 821 to increase the allowable square footage for the expansion of an existing use; 0.78 acre “C-8” Planned Commercial District Site located at the corner of Chesterfield Parkway East and Olive Boulevard.

Assistant Director of Planning Laura Griggs-McElhanon described the plan, noted the parking areas, and summarized the issues raised during discussion by the Planning Commission. The Planning Commission added a condition prohibiting display of products on the sidewalk in front of the convenience store.

Councilmember Streeter stated that he feels that the Building Code should be enforced in this situation (to keep the items off the sidewalk in front of the convenience store) not add a condition in the “C-8” Ordinance.

Councilmember Flachsbart suggested that staff be directed to add this condition from now on.

A motion to **approve** the amendment request, as recommended by the Planning Commission was made by Councilmember Flachsbart and seconded by Councilmember Brown.

A motion was made by Councilmember Streeter to amend Attachment A by deleting paragraph (1a) on page 1.

The motion dies for lack of a second.

Chair Hurt stated that the sidewalk should be widened to allow for display.

There was general discussion of vending-type machines and illegal parking in front of the convenience store.

The motion was approved by a vote of 3 to 1, with Councilmember Streeter voting no.

Staff was directed to create a general condition relative to the display of goods at service stations.

**Note: One bill relative to this matter will be needed for the April 19, 1999, City Council Meeting.  
SEE BILL # \_\_\_\_\_**

- \*III. **P.Z. 1-1999 Sunrise Assisted Living**; A request for a change in zoning from "NU" Non-Urban District to "R-6" Residence District for a 3.21 acre tract of land located at the southeast corner of Leimann Drive and Clarkson Road. (Locator Number : 19S11-0611) Proposed uses: Nursing homes and group homes for the elderly.

AND

**P.Z. 2-1999 Sunrise Assisted Living**; A request for a conditional use permit in the "R-6" Residence District for a 3.21 acre tract of land located at the southeast corner of Leimann Drive and Clarkson Road. (Locator Number 19S11-0611) Proposed uses: Nursing homes and group homes for the elderly.

Director of Planning Teresa Price handed out a memo from Public Works Director/City Engineer Michael Geisel.

Chair Hurt stated that in he got the impression from talking to Michael Geisel that the Public Works Department would prefer to vacate Leimann.

There was general discussion of where to locate the access to the site and Michael Geisel's memo.

Councilmember Brown stated that she had a meeting with the petitioners this evening and a revised plan depicting access from Leimann has been prepared.

There was general discussion of access, including cross access to the south.

Ed Griesedieck, attorney for the petition, presented a revised plan depicting one access on Clarkson. He also presented another revised plan depicting one access on Leimann. He advised the Committee that the residents did not want an access on Leimann or Old Clarkson and they wanted the large tree buffer along Old Clarkson to be preserved. The petitioner is willing to prohibit left turns in and out of the site during certain times of the day, and is willing to provide a decel and accel lane on Clarkson Road. Mr. Griesedieck stated that if the access was from Leimann, the following site changes are necessary: driveway grade would be 8%; first floor would be 10 feet lower than the original proposal, so retaining walls would be 10 feet taller, approximately 25 to 30 feet tall; additional retaining walls would be necessary along Clarkson Road, 2 to 19 feet tall; an additional retaining wall would be necessary along Leimann, 2 to 14 feet tall; and there would be retaining walls in the detention basin.

There was general discussion by the Committee on: vacating Leimann; number of curb cuts; access to Leimann; rebuilding Leimann to raise the elevation of the street; trucks and staff traffic; prohibiting left turns out of the site; cross access to the south; vacation process and timing; parking lot on first level versus the second level;

Chair Hurt stated that no one is arguing the proposed use.

Councilmember Flachsbart stated that the issue of no left turns should be forwarded to the Public Health and Safety Committee.

The Mayor left the meeting at this time.

Councilmember Flachsbart suggested that cross access to the south be required so that eventually the proposed Clarkson Road access could be eliminated.

Ed Griesedieck advised the Committee that the residents want the building lower on the site.

Mr. Hardgrove, resident, expressed concern about removing the trees along Old Clarkson. He felt that these trees should be retained.

Mr. Allison, resident, stated that while he is not totally opposed to vacating Leimann, the issue of emergency vehicle access should be looked into.

A motion to require a decel/accel lane on Clarkson Road and prohibit left turns out of the site, with signage and drive design, was made by Councilmember Flachsbart and seconded by Councilmember Brown.

A motion was made by Councilmember Streeter, and seconded by Chair Hurt, to amend the previous motion to require the median on Clarkson Road to be extended, at the developer's cost, past (north of) Leimann as approved by Public Works and MoDOT to prohibit left turns into and out of the sight (right-in and right-out only

There was discussion about the City's ability to control access on a state road.

The motion to amend by Councilmember Streeter was withdrawn.

A motion to require an island on Leimann at Clarkson Road to allow only right-in and right-out at the petitioner's expense was made by Councilmember Streeter, seconded by Chair Hurt, and **approved by a vote of 3 to 1**, with Councilmember Brown voting no.

A motion was made by Councilmember Flachsbart to approve as amended, with the petitioner supplying to the Public Works Department information relative to cross access, grades and vacation of Leimann.

**Motion dies for lack of a second.**

A motion to **approve** P.Z. 1&2-1999 as amended was made by Councilmember Brown and seconded by Councilmember Flachsbart.

Councilmember Flachsbart stated if the information was not provided by the time of the City Council meeting, he would be voting against the petitions.

Staff requested clarification on the specific issues.

Councilmember Flachsbart stated that the issues are: cross access; vacation of Leimann – can it be vacated (include the FPD in the discussions); and retaining walls around the site – will it work to have the parking on the second level.

Councilmember Streeter **called the question.**

The motion was approved by a vote of 3 to 1, with Chair Hurt voting no.

**Note: Two bills relative to this matter will be needed for the April 19, 1999, City Council Meeting (one as recommended by the Planning Commission and one as recommended by the Planning & Zoning Committee).**

SEE BILL # \_\_\_\_\_ (as recommended by the Planning Commission)

SEE BILL # \_\_\_\_\_ (as recommended by the Planning & Zoning Committee)

Councilmember Streeter left the meeting at this time.

#### **IV. Property Maintenance Code**

There was general discussion on this including the City determining when the Code was enforced (no code sweeps).

Councilmember Flachsbart stated that he had major reservations on this matter.

Janet Sasso, White Plains subdivision, stated that she is appalled that the City does not have a property maintenance code.

Planning and Zoning Committee Meeting Summary for March 18, 1999

March 29, 1999

Page 5

A motion to direct staff to look at the code and give feedback to the Committee was made by Chair Hurt and seconded by Councilmember Brown.

There was general discussion on this including enforcement.

**The motion was approved by a vote of 3 to 0.**

V. Department Update – Assistant Director Laura Griggs-McElhanon

This item was not discussed by the Committee.

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, April 22, 1999.

**The meeting adjourned at 7:00 p.m.**