

**SUMMARY**  
**PLANNING AND ZONING COMMITTEE MEETING**  
**MARCH 30, 1995**

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:35 p.m., on March 30, 1995, in the City Council Conference Room. In attendance were Chairman Dan Hurt (Ward III); Councilmember Barry Flachsbart (Ward I); Councilmember Ed Levinson (Ward II); and Councilmember Mike Cullen (Ward IV). Also in attendance were Jerry Duepner, Director of Planning; and Barbara McGuinness, Chairman - Planning Commission.

**ITEM I.** Approval of summary of Planning and Zoning Committee meeting of March 9, 1995.

A motion for approval was made by Councilmember Flachsbart and seconded by Councilmember Cullen. The meeting summary was approved by a vote of 3 to 0.

**Note:** Councilmember Levinson arrived at this time.

**ITEM II.** **P.Z. 3-95 City of Chesterfield Planning Commission;** amendment of Sections 1003.030 Establishment of Districts - Zoning Map; and 1003.040 Interpretation and Extension of District Boundaries of the City of Chesterfield Zoning Ordinance.

Director Duepner summarized the report and recommendation of the Planning Commission.

A motion for approval was made by Councilmember Flachsbart and seconded by Chairman Hurt. The motion was approved by a vote of 4 to 0.

**NOTE:** A bill relative to this matter will be needed for the April 17, 1995 City Council Meeting.

ITEM III.

P.Z. 4-95 City of Chesterfield Planning Commission; amendment of Sections 1003.193 Appeal and Protest Procedure for Special Procedures; and 1003.300 Procedure for amending the Zoning Ordinance of the City of Chesterfield.

Director Duepner summarized the report of the Planning Commission recommending approval.

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

**NOTE:** A bill relative to this matter will be needed for the April 17, 1995 City Council Meeting.

ITEM IV.

P.Z. 13-90 Maurice L. Hirsch, Jr.; amendment of Conditional Use Permit (CUP) No. 5 in the "NU" Non-Urban District; north side of Wild Horse Creek Road at Tuma Lane.

Director Duepner summarized the report of the Planning Commission concerning the requested amendment.

A motion to receive and file the Planning Commission's report and action was made by Councilmember Levinson and seconded by Councilmember Flachsbart. The motion was approved by a vote of 4 to 0.

**Note:**

As this matter is an amendment to a Conditional Use Permit, action by the City Council will be to receive and file the Planning Commission report. City Council could exercise power of review, which would refer the matter back to the Planning & Zoning Committee for a hearing, and final action would be by the City Council.

ITEM V.

P.Z. 21-94 David and Pauline Bolk; Commercial Service Procedure (CSP) in the "R-2" 15,000 square foot Residence District; south of Olive Boulevard, west of Westbury Drive.

Director Duepner presented the plan that was approved by the Planning Commission.

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

ITEM VI.

Memorandum from the Director of Planning concerning Northeast Annexation.

Director Duepner summarized the memorandum and presented an Add-On item, a copy of a public hearing notice received from St. Louis County Planning Commission concerning P.C. 42-95 Kinder Care Learning Centers. The petition requests a Conditional Use Permit to allow a child care center on property on the east side of Fee Fee Road, just east of the proposed annexation area.

A motion was made by Councilmember Flachsbart and seconded by Councilmember Cullen to receive and file the memorandum and add-on. **The motion was approved by a vote of 4 to 0.**

ITEM VII.

Memorandum from the Director of Planning concerning Missouri Senate Bill No. 223 (Billboards).

Director Duepner summarized the memorandum concerning Senate Bill No. 223, which would provide local review of billboards along highways.

A motion was made by Councilmember Flachsbart and seconded by Councilmember Cullen that a letter be sent immediately from the City to the State Legislature in support of Senate Bill No. 223. **The motion was approved by a vote of 4 to 0.**

ITEM VIII.

Memorandum from the Director of Planning regarding revision of Zoning and Subdivision Regulations.

Director Duepner summarized the memorandum concerning the revision of the Zoning and Subdivision Regulations and the proposal prepared by Department of Planning Staff concerning possible residential categories based upon the comments presented by Mr. Kendig.

There was considerable discussion by the Committee relative to the Staff proposal, with concerns expressed about proposed zoning districts, as well as the effort expended to date on the revisions. The Committee, generally, applauded the Staff effort on their proposal, and directed it be forwarded to the Steering Committee for further review and consideration in review of the Zoning Ordinance.

A motion was made by Councilmember Flachsbart and seconded by Councilmember Cullen that the Staff proposal be forwarded to the Steering Committee. **The motion was approved by a vote of 4 to 0.**

There was further discussion relative to Mr. Kendig's letter to the Director concerning the status of the effort on the revision of Zoning and Subdivision Ordinances. The Committee noted the delay and although the effort should not be a top priority, it should not be dropped completely; and that they understood the delay due to time constraints. The Committee did not feel it should give direction to the Staff on Mr. Kendig's suggestion, but urged the effort be continued.

There was discussion by the Committee relative to the overall implications of the revisions to the Zoning Regulations, particularly as pertain to character. There was discussion relative to the current Comprehensive Plan and the need for area studies and identifying character zones.

It was noted that Mr. Kendig had been retained to revise the Zoning and Subdivision Regulations, with the assumption that the current Comprehensive Plan was still a valid document, recognizing the need for some minor revision.

Committee Members discussed in detail the issues of the potential character zones and the identification of specific areas. It was noted that the Planning Commission could be requested to conduct area studies for more detailed direction.

Chairman Hurt directed that the Staff review a map of the entire City and identify how areas are zoned and their general character, as well as those areas which currently have been the subject of studies. This information is to be brought back to the Planning and Zoning Committee so that direction can be determined for the remainder of the City.

ITEM IX.

Memorandum from the Director of Planning concerning Westland Acres.

A motion was made by Councilmember Flachsbart and seconded by Chairman Hurt to receive and file. **The motion was approved by a vote of 4 to 0.**

ITEM XIII.

**SITE PLANS, BUILDING ELEVATIONS AND SIGNS REVIEWED  
BY THE PLANNING ON MARCH 13, 1995 - TO BE RECEIVED  
AND FILED.**

- A. Gateway Academy; "NU" Non-Urban District Landscape Plan; north side of Wild Horse Creek Road, approximately 3,000 feet west of Wildhorse Parkway.

A motion was made by Councilmember Flachsbart and seconded by Chairman Hurt to receive and file. The motion was approved by a vote of 4 to 0.

ITEM XV.

P.Z. 25-94 Jewish Community Center Association (JCCA); request for amendment of Conditional Use Permit (C.U.P #16) in "R-2" 15,000 square foot Residence District; northeast corner of the intersection of Wildhorse Creek Road and Baxter Road Extension.

Director Duepner summarized the report of the Planning Commission recommending amending the Conditional Use Permit.

A motion was made by Councilmember Cullen and seconded by Councilmember Flachsbart that the report of the Planning Commission be received and filed. The motion was approved by a vote of 3 to 1, with Councilmember Levinson voting no.

**Note:**

As this is an amendment to a Conditional Use Permit, the report of the Planning Commission can be received and filed by Council, and the amendment would be effective within fifteen (15) days. Council could exercise its review on this matter, which would then require referral back to the Planning and Zoning Committee for a hearing and subsequent final action by City Council.

ITEM X.

Memorandum from the Director of Planning regarding renewal of Building Code Contract with St. Louis County Department of Public Works.

Director Duepner summarized the memorandum from the Department of Planning concerning the Appearance Code.

A motion was made by Councilmember Levinson to receive and file.

There was considerable discussion by the Committee relative to the appropriateness of establishing an appearance code.

Councilmember Levinson made a motion to **table** the issue of an appearance code. **The motion failed for lack of a second.**

It was noted the City currently does not have an appearance code, and there was discussion on whether it was appropriate to establish one.

Councilmember Cullen noted those adjoining cities which currently do not have an appearance code and questioned whether the City of Chesterfield needed to establish an appearance code.

A motion was made by Councilmember Flachsbart and seconded by Chairman Hurt the memorandum be **received and filed**. **The motion was approved by a vote of 4 to 0.**

ITEM XII.

Memorandum from the Director of Planning regarding City Council Bill 958 - amendment of Sign Regulations concerning Menu Boards for Fast Food Restaurants.

Chairman Hurt directed this matter continue to be **held**. **The Committee concurred by a vote of 4 to 0.**

ITEM XI.

Memorandum from the Director of Planning concerning Chesterfield Valley.

Director Duepner noted the Department in the Chesterfield Valley Area had run into situations where the occupancy, trash enclosures, and parking lot striping had not been provided. It has been brought to the Department's attention by property owners of the hardship they have endured subsequent to the flood and were seeking some relief from those requirements. Director Duepner noted the Department issues Temporary Occupancy Permits, noting the deficiencies on the site.

The Committee agreed that the Department should continue to allow for Temporary Occupancy Permits, but saw no reason to treat the Valley area any differently than other areas of the City relative to compliance with requirements.

The Committee directed that the Department forward, in future Temporary Occupancy Permits, a deadline of compliance of 1-1-96. In addition, consideration should be given to necessary parking for the portion of the building to be occupied.

ITEM XIV.

The next meeting of the Planning and Zoning Committee is Thursday, April 20, 1995, at 5:30 p.m., in the City Council Conference Room.

The meeting adjourned at 6:50 p.m.

[PZC-SUM.330]