

SUMMARY
PLANNING AND ZONING COMMITTEE MEETING
APRIL 6, 1994

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held on Wednesday, April 6, 1994, at 5:45 p.m., in the City Council Room. In attendance were Chairman Susan Clarke (Ward II); Councilmember Dan Hurt (Ward III); and Councilmember Dick Hrabko (Ward IV). Also in attendance were Councilmember Ed Levinson (Ward II); and Jerry Duepner, Director of Planning.

ITEM I. **P.C. 98-87 Linclay Corporation;** a request for Amendment of "C-8" Planned Commercial District Ordinance; west side of Old Woods Mill Road, south of Conway Road.

Director Duepner summarized the report and recommendation for **approval** of amendments by the Planning Commission.

A motion was made by Councilmember Hrabko for **approval** per the Planning Commission recommendation. The motion was seconded by Councilmember Hurt and **approved** by a vote of 3 to 0.

(Note: **A bill relative to this matter is needed for the April 18, 1994 City Council Meeting.**

ITEM II. **P.Z. 11-93 City of Chesterfield Planning Commission;** a proposal to amend Sections 1003.020 Definitions; 1003.101 "FP" Flood Plain District Regulations; 1003.103 "PS" Park and Scenic District Regulations; 1003.107 "NU" Non-Urban District Regulations; 1003.111 "R-1" Residence District Regulations; 1003.112 "R-1A" Residence District Regulations; 1003.113 "R-2" Residence District Regulations; 1003.115 "R-3" Residence District Regulations; 1003.117 "R-4" Residence District Regulations; 1003.119 "R-5" Residence District Regulations; 1003.120 "R-6A" Residence District Regulations; 1003.120A "R-6AA" Residence District Regulations; 1003.121 "R-6" Residence District Regulations; 1003.123 "R-7" Residence District Regulations; 1003.125 "R-8" Residence District Regulations; 1003.131 "C-1" Neighborhood Business District Regulations; 1003.133 "C-2" Shopping District Regulations; 1003.135 "C-3" Shopping District Regulations; 1003.137 "C-4" Highway Service Commercial District Regulations; 1003.141 "C-6" Office and Research Service District Regulations; 1003.143 "C-7" General Extensive Commercial District Regulations; 1003.151 "M-1" Industrial District Regulations; 1003.153 "M-2" Industrial District Regulations; 1003.168 Sign Regulations - General; 1003.168A Sign Regulations for "FP", "PS", "NU", and All "R" Districts; 1003.168B Sign Regulations for All "C", "M", and "MXD" Districts; 1003.168C Subdivision Information Signs; and, 1003.168D Temporary Signs of the City of Chesterfield Zoning Ordinance relative to sign regulations;

Director Duepner summarized the memorandum concerning two (2) issues from the proposed revision to the Sign Regulations. The first issue was that of monument and pylon signs.

The Committee directed that this matter be forwarded to the consultant to be retained for revision of the City's Zoning and Subdivision Regulations.

The second item was amending the Sign Regulations relative to advertising signs. The Director distributed an opinion received from the City Attorney regarding a recent court decision on regulation of billboard signs. It was noted by the City Attorney that the test of local regulation of billboards may be whether an ordinance prohibits that which the State Statute permits. The City Attorney also suggested that a clause be included within any revision to indicate that if any portion of the ordinance is found to be unconstitutional, the remaining portions would remain in effect.

There was considerable discussion relative to a recommended requirement of a five (5) mile spacing of advertising signs, as opposed to the requirement currently provided for by State Statute of 500 feet.

Director Duepner noted that, under the current City Regulations relative to advertising signs, a 500 foot spacing is required, and a maximum size of 800 square feet is permitted. The 800 square foot size is less than the 1200 square feet allowed under State Statute.

Councilmember Hurt indicated that it would be his preference to require the five (5) mile separation between signs.

A motion was made by Councilmember Hrabko and seconded by Councilmember Hurt that the amendment, as recommended by the Planning Commission, which included a 500 foot separation between signs and a clause in accordance with the recommendation of the City Attorney, be approved. The motion was approved by a vote of 3 to 0.

(Note: A bill relative to this matter is needed for the April 18, 1994 City Council Meeting.

The Committee also directed that a letter be prepared on behalf of the City and sent to State Legislators, urging them to pass advertising sign legislation that would be as restrictive as possible, and giving local jurisdictions flexibility with their regulations concerning advertising signs.

Councilmember Levinson indicated that the amendment, as proposed, would not allow for off-site signage for institutional uses, or signage such as that for the Forum Apartments in the Forum Center.

Director Duepner noted that, per definitions in the current Zoning Ordinance, all off-site signage other than for residential subdivisions under construction is considered to be an advertising sign.

The Committee directed that Councilmember Levinson should work with the Director of Planning to seek to address this issue, and it would be brought up for discussion at the April 18, 1994 City Council Meeting.

Councilmember Greenwood arrived at the meeting at this time.

Councilmember Greenwood expressed her concern relative to the proposed amendment, and that a greater separation than 500 feet should be required.

ITEM III. Memorandum from the Director of Planning concerning revision of City Ordinances relative to Home Day Care.

Director Duepner summarized the memorandum.

There was discussion by the Committee relative to an amendment that St. Louis County had passed relative to home day care. It was noted that, under the County's proposal, there is a provision for a hearing if protests are submitted by adjoining property owners.

Councilmember Hurt noted that there was an apparent conflict within the County's Regulations regarding the definitions of living on premises and related. He believes that, if the City is to amend its Regulations relative to home day care, this issue should be addressed.

A motion was made by Councilmember Hrabko and seconded by Councilmember Greenwood that the issue of amending the City's regulations relative to home day care be forwarded to the Planning Commission for consideration. **The motion was approved by a vote of 4 to 0.**

ITEM IV. Memorandum from the Director of Planning concerning Ordinance Revision Reports and Bills.

Director Duepner explained that, as directed by the Committee, reports relative to ordinance amendments indicate the nature of the change. In addition, the Council has directed that bills presented to Council should also reflect the existing wording, as well as proposed changes. Director Duepner suggested that the Department would make the changes in Attachment A, which would be utilized in the Commission's report and the Council bill for action. This would eliminate the need for the detail presently provided for in the Commission report to the Planning and Zoning Committee.

A motion was made by Councilmember Hrabko and seconded by Councilmember Hurt that the policy be revised so that the Department no longer prepares a detailed report from the Commission with the revisions, and that the revisions be duly noted in the Attachment containing the conditions. **The motion was approved by a vote of 4 to 0.**

ITEM V. Memorandum from the Director of Planning concerning action of St. Louis County Boundary Commission on Western Annexation, and revision of the proposal for submittal to the Boundary Commission.

Director Duepner summarized the action of the St. Louis County Boundary Commission on the proposed Western Annexation (93-10).

There was discussion on revising the boundary, noting that Council had previously agreed to eliminate areas fronting Orville Road, as well as properties on the east side of Kehrs Mill Road.

Director Duepner noted that the City of Clarkson Valley presently has a petitioned annexation before the Boundary Commission, and recommended that the area of that proposal also be excluded from a revised proposal.

There was discussion by the Committee about revising the boundaries further to exclude an area west of the Clarkson Valley proposal, up to Strecker Road.

Councilmember Hrabko inquired about including the remainder of Chesterfield Valley in the revised annexation proposal.

Director Duepner noted that the Boundary Commission is no longer allowed to consider as one proposal, non-contiguous areas.

The Committee then directed that the Department review an annexation proposal which would request not only the area south of Wild Horse Creek Road, but also which would include the area of the remainder of Chesterfield Valley as one proposal.

ITEM VI. Memorandum from the Director of Planning concerning Budget for West Area Study Committee.

Director Duepner summarized the proposed budget for the West Area Study, which is proposed.

The Committee discussed how the proposal was developed and, particularly the cost for publication and preparation of the reports.

Director Duepner noted that the reports would be available to the Planning Commission and Council, as well as others interested from the area and outside of the area.

It was suggested that the budget may need to be reviewed further for reduction, and that the amount may be greater than what is necessary, particularly for publication and report preparation. It was also noted that the finished product could be available for purchase. The Committee directed that the matter be forwarded to the Council **without a recommendation.**

Councilmember Greenwood noted there may be other accounts from which these funds could be obtained rather than the Contingency Fund.

Councilmember Hrabko left the meeting at this time.

ITEM VII. Memorandum from the Director of Planning concerning contract for services with Lane Kendig Incorporated.

Director Duepner summarized the proposed contract submitted by Lane Kendig Incorporated. He noted revisions which the Department will be recommending to Mr. Kendig relative to the minimum length of any trips, as well as the contact with the City shall be the Selection Committee. Director Duepner noted that, as the project was not included in the '94 Budget, funding would be from the Contingency Fund.

A motion was made by Councilmember Clarke and seconded by Councilmember Greenwood that the contract be forwarded to the Council with a recommendation for approval, noting that funds would come from the Contingency Fund. **The motion was approved by a vote of 3 to 0.**

This matter will be on the April 18, 1994 City Council Meeting Agenda.

ADD ON #1 Councilmember Hurt noted a problem which he has experienced in his Ward with the appearance of a single-family residence. He indicated the possible need for some type of appearance ordinance for the City of Chesterfield.

Chairman Clarke noted that this matter had previously been brought up by Councilmember Greenwood and had been **tabled** by the Committee.

It was agreed by the Committee to direct the Department to resurrect the summary it had previously prepared of a survey of appearance codes within the St. Louis area. It was also suggested that fences be included within a code, if pursued. The report from the Department should also indicate anticipated cost of the program. If an appearance code were to be established, the Committee felt that any violations should be dealt with only on a complaint basis.

The members of the Committee expressed appreciation and thanks to Councilmember Nancy Greenwood for her service on the Committee.

SITE PLANS, BUILDING ELEVATIONS AND SIGNS REVIEWED BY THE PLANNING COMMISSION ON MARCH 28, 1994.

- A. **Chesterfield Farms Plat 2**; Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 Square Foot Residence District, "FPR-2" Flood Plain "R-2" 15,000 Square Foot Residence District, and "R-6" 4,500 Square Foot Residence District Subdivision Record Plat; north of Wild Horse Creek Road, west of Santa Maria Drive.
- B. **Forum Center**; "C-2" Shopping District Freestanding Advertising Sign; northwest corner of the intersection of Olive Boulevard and Woods Mill Road.
- C. **P.C. 25-82 Chesterfield Fire Protection District**; "M-3" Planned Industrial District Amended Site Development Plan, Architectural Elevations, and Landscape Plan; west side of Long Road, south of Chesterfield Airport Road.
- D. **Somerset Plat Three**; Planned Environment Unit (PEU) Procedure in the "R-1A" 22,000 Square Foot Residence District and "R-2" 15,000 Square Foot Residence District Subdivision Record Plat; north side of Wild Horse Creek Road, east of Long Road.
- E. **Chesterfield Pines**; "R-1A" 22,000 Square Foot Residence District Subdivision Record Plat; northwest corner of the intersection of Highcroft Drive and Schoettler Road.

The next meeting of the Planning and Zoning Committee will be on **Wednesday, April 20, 1994, at 5:30 p.m.**

The meeting adjourned at 6:40 p.m.

[PZC-SUM.406]