

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa Price, Director of Planning *TP*

DATE: May 12, 1998

SUBJECT: Planning and Zoning Committee Meeting Summary from May 7, 1998

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, April 23, 1998, in the City Council Conference Room. In attendance were Chair Dan Hurt (Ward III); Councilmember Barry Flachsbart (Ward I), arrived later; Councilmember Barry Streeter (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Rick Bly, Planning Commission Chair, arrived later; Teresa Price, Director of Planning; and, Laura Griggs-McElhanon, Assistant Director of Planning.

* To Be Discussed at 5/18 City Council Meeting

I. Approval of Planning and Zoning Committee meeting summary of April 23, 1998.

A motion to approve the meeting summary of April 23, 1998, was made by Councilmember Streeter, seconded by Councilmember Brown, and approved by a vote of 3 to 0.

*VI. **P.Z. 20-97 Spirit Airpark**; request for amendment to City of Chesterfield Ordinance Number 1312, the governing "M-3" Planned Industrial District Ordinance for Spirit Airpark; east side of Goddard Avenue, south of Chesterfield Airport Road (relative to setbacks at 660 Goddard Avenue).

Director of Planning Teresa Price stated that at the last Committee meeting, staff was directed to advise the petitioner of the Committee's concerns with the request. This resulted in a letter from the petitioner's attorney, Mike Doster explaining there is "no reasonable alternative to the amendment."

Chair Hurt clarified that the problem was not with the 9.8 feet versus 10 feet amendment request to the south, it was with the 3 feet versus 10 feet amendment request to the north. He inquired if this request could go to the Board of Adjustment to try to get a variance prior to going to City Council for an ordinance amendment.

Director of Planning Teresa Price advised that per City Attorney Doug Beach, there needs to be action from the City Council prior to a petition being forwarded to the Board of Adjustment.

There was discussion among the Committee about setting a precedent by reducing the setbacks.

Mike Doster, attorney for Natoli, stated that maybe this issue could be resolved with a variance, which would not set a precedent, but the City Attorney's position is that this has to go to the City

Council before it goes to the Board of Adjustment. He discussed the specifics of the request and noted if the existing buildings were torn down, the new structures would have to meet the 10 foot setback. If the amendment is not made, the applicant can't get permits on 670 Goddard, can't sell the property, and there is a problem with the person who purchased 660 Goddard.

Chair Hurt stated that there was letter from John McCartney, Natoli Engineering, addressing the unfeasibility of alternatives, in the packet and noted that Mr. McCartney was present.

There was discussion of subdividing the property to include the adjacent building to the northeast. The issue of parking setback problems was discussed.

There was discussion of forwarding the request to City Council with no recommendation from the Committee.

A motion to forward this request to City Council with no recommendation was made by Councilmember Streeter, seconded by Chair Hurt, and approved by a vote of 2 to 1, with Councilmember Brown voting no.

**Note: One bill relative to this matter, as recommended by the Planning Commission, will be needed for the May 18, 1998, City Council Meeting.
SEE Bill #**

***III. P.Z. 1-98 Hennessey Development Inc. (White House Farm); "NU" Non-Urban District to "R-2" 15,000 square foot Residence District; east side of White Road, 2,500 feet south of Olive Boulevard.**

Assistant Director of Planning Laura Griggs-McElhanon summarized the request to rezone to "R-2" Residence District to allow the development of a 10 lot subdivision. She noted that although this is a "straight zoning" request, conditions are being recommended to address White Road improvements and drainage issues.

There was discussion of refurbishing the existing house, the existing stormwater problems, City Council exercising their power of review on the Preliminary Plat, proposed cost of the houses, proposed size of the houses, and house size versus lot size.

Councilmember Streeter inquired about the timing of the White Road improvements.

Assistant Director of Planning Laura Griggs-McElhanon responded that some of the road improvements necessary on White Road were to change the vertical alignment, which is not possible if only half of the road is being improved. If necessary White Road improvements can't be done at the time of development, the conditions call for a cash escrow to be established with the City.

Councilmember Streeter inquired of the developer, Mr. Hennessey, why he was not proposing to continue the street name of White Birch Valley Lane for his cul-de-sac.

Mr. Hennessey replied that he wants the development to have its' own street name for identity purposes.

A motion to approve P.Z. 1-98 was made by Councilmember Streeter, seconded by Councilmember Brown, and approved by a vote of 3 to 0.

**Note: One bill relative to this matter will be needed for the May 18, 1998, City Council Meeting.
SEE Bill #**

*IV. **P.Z. 6-98 Consolidated Health Care Resources Fund I, L.P.**; "R-1A" 22,000 square foot Residence District to "R-2" 15,000 square foot Residence District; east side of White Road, south of Olive Boulevard. **And**

*V. **P.Z. 7-98 Consolidated Health Care Resources Fund I, L.P.**; Conditional Use Permit (CUP) in the "R-2" 15,000 square foot Residence District; east side of White Road, south of Olive; and an amendment to an existing Conditional Use Permit (CUP), established by St. Louis County, P.C. 60-80, in the "R-2" 15,000 square foot Residence District for a 7.058 acre tract of land; east side of White Road, south of Olive. The total acreage encompassing this Conditional Use Permit request is 16.174 acres. Proposed Amendment: Expansion of existing Conditional Use Permit to allow the construction of an independent living facility and an adult/child day care.

Assistant Director of Planning Laura Griggs-McElhanon explained the request to rezone to "R-2" Residence District (P.Z. 6-98) and expand and amend the existing Conditional Use Permit to allow expansion of the nursing home and the construction of an Independent Living Facility (P.Z. 7-98). The Department noted that conditions for the development had been attached to the CUP (P.Z. 7-98) and recommended they also be attached to the rezoning (P.Z. 6-98). A copy of these conditions was handed out.

(Councilmember Flachsbart arrived at 6:40 p.m.)

There was discussion of the condition addressing the 150 foot setback for the access drive to the Independent Living Facility. It was explained this setback would be reviewed by the Department of Public Works.

A motion to approve P.Z. 6-98 as recommended by the Planning Department with conditions was made by Councilmember Streeter, seconded by Councilmember Brown and approved by a vote of 3 to 0 to 1, with Councilmember Flachsbart abstaining.

Note: Two bills relative to this matter will be needed for the May 18, 1998, 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)

A motion to recommend the City Council receive and file P.Z. 7-98 was made by Councilmember Streeter, seconded by Councilmember Brown, and approved by a vote of 3 to 0 to 1, with Councilmember Flachsbart abstaining.

Note: This item is to be received and filed at the City Council meeting on May 18, 1998. The CUP would go into effect 15 days later, on June 2, 1998.

***VII. P.Z. 14-98 City of Chesterfield Planning Commission; a proposal to amend section 1003.140 "PC" Planned Commercial District regulations to include cemeteries as a permitted use**

Planning Director Teresa Price explained the petition, which would allow cemeteries as permitted uses in the "PC" Planned Commercial District.

There was discussion of cemeteries in the "AG", "R-8" and "P & S" Districts.

Director of Planning Teresa Price suggested that if the Committee had problems with the future development of cemeteries, the wording could be changed to only allow existing cemeteries to be in the "PC" District.

There was discussion of the appropriate zoning for cemeteries. It was noted by staff that a cemetery is a CUP in the "P & S" District and that there is a required 25 foot setback from "P & S" zoning for Planned Commercial District.

A motion to approve P.Z. 14-98 was made by Councilmember Brown and seconded by Councilmember Streeter.

Chair Hurt requested staff, before the City Council meeting, evaluate how close parking will be to the cemetery under consideration (P.Z. 4A-98 Chesterfield Village and First Baptist Church), and determine if there is a problem with the 25 foot setback.

Councilmember Streeter withdrew his second, and stated that the adjacent parking lot shouldn't be so close to the cemetery.

Motion dies for lack of a second.

A motion to approve P.Z. 14-98 was made by Councilmember Brown and seconded by Councilmember Flachsbart.

Councilmember Flachsbart stated that he is not in favor of cemeteries as a permitted use in the "PC" District, but the petition should go to City Council for discussion. He stated that he wouldn't vote for it at City Council.

Chair Hurt called the question.

The vote on the motion was 2 to 2, with Chair Hurt and Councilmember Streeter voting no. The petition will be forwarded to City Council with no recommendation from the Committee.

**Note: One bill relative to this matter as recommended by the Planning Commission will be needed for the May 18, 1998, City Council Meeting.
SEE Bill #**

***VIII. P.Z. 4A-98 Chesterfield Village, Inc. and First Baptist Church of Chesterfield; "NU" Non-Urban District to "PC" Planned Commercial District; south side of Chesterfield Airport Road, 300 feet east of the intersection of Chesterfield Parkway South.**

It was noted by the Department that this item proceeds only if the previous item, P.Z. 14-98, is approved.

A motion to approve P.Z. 4A-98 was made by Councilmember Brown and seconded by Councilmember Flachsbart.

The vote on the motion was 2 to 2, with Chair Hurt and Councilmember Streeter voting no. The petition will be forwarded to City Council with no recommendation from the Committee.

**Note: One bill relative to this matter as recommended by the Planning Commission will be needed for the May 18, 1998, City Council Meeting.
SEE Bill #**

IX. P.Z. 14-97 Nancy and Michael Cullen; – Rezoning "M-3" to "C-3."

This petition was held at the request of the petitioner.

II. Department Update – Director Teresa Price

Councilmember Streeter inquired how the "laundry list" was coming.

Director of Planning Teresa Price stated she would like to bring the list back to the Committee at the first meeting in June.

Planning and Zoning Committee Meeting Summary for May 7, 1998
May 12, 1998
Page 6

Director of Planning Teresa Price advised the Committee that the Planning Commission had made changes in the staff reports prepared by the Planning Department. The Planning Commission gets the agency comments at the Issues Meeting. She inquired if the Committee wanted the agency comments or just the staff report.

Councilmember Streeter suggested that a checklist be used.

Councilmember Flachsbart suggested that staff summarize other agency comments or say that there were no problems.

Chair Hurt stated that there is concern about project turn-around.

Director of Planning Teresa Price explained to the Committee that now that the Department was fully staffed, emphasis would be placed on this issue. The request was made that if the Committee had any concerns about the timeframe for a specific project to please get with her directly.

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, May 21, 1998.

The meeting adjourned at 7:45 p.m.

TP/LPGM/lpgm

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