

# MEMORANDUM

TO: Michael G. Herring, City Administrator  
Acting Director of Planning

FROM: Laura P. Griggs-McElhanon, AICP   
Assistant Director of Planning

DATE: May 29, 1997

SUBJECT: Planning and Zoning Committee Meeting Summary from May 22, 1997

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A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 6:35 p.m., on Thursday, May 22, 1997, in the City Council Conference Room. In attendance were Chairman Dan Hurt (Ward III); Councilmember Barry Flachsbart (Ward I); Councilmember Barry Streeter (Ward II) (arrived later); and Councilmember Mary Brown (Ward IV). Also in attendance were: Mayor Nancy Greenwood; Councilmember Larry Grosser (Ward II); Councilmember Alan Shephard (Ward I); Rick Bly, Vice-Chairman of the Planning Commission; Mike Herring, City Administrator/Acting Director of Planning; Laura Griggs-McElhanon, Assistant Director of Planning; and Patricia Detch, Planner I.

**ITEM IV.** **P.Z. 4-97 Captain's Capital, L.L.C.**; "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District; north side of Olive Boulevard, east of Hog Hollow Road.

Correspondence from the petitioner's attorney was submitted to the Committee requesting this petition be held.

A motion to hold this petition was made by Councilmember Flachsbart, seconded by Chairman Hurt and approved by a vote of 3 to 0.

**ITEM V.** **P.Z. 3-97 Lenette Realty and Investment Company (Clayton Baxter Center)**; "C-2" Shopping District, "C-8" Planned Commercial District and "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District; southwest corner of Clayton Road and Baxter Road.

Mr. Steve Graham, the petitioner's attorney, requested this petition be held.

A motion to hold this petition was made by Councilmember Flachsbart, seconded by Chairman Hurt and approved by a vote of 4 to 0.

**ITEM I.** Approval of summary of Planning and Zoning Committee meeting of May 8, 1997.

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

**ITEM VI.** **P.Z. 8-97 Chesterfield Village, Inc. (Parcel C-322 Firehouse)**; "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District, and amendment to an existing "C-8" Planned Commercial District established by St. Louis County Ordinance Number 13,811 and amended by City of Chesterfield Number 1159; west side of Olive Boulevard, south of Wellesley Place Drive.

Assistant Director Griggs-McElhanon summarized P.Z. 8-97, which was approved by the Planning Commission by a vote of 5 to 2. Separate motions are needed on these petitions.

There was discussion, with clarification provided by staff, of the proposed uses, concerns of the residents (hours of operation, parking, proposed uses), reasoning given by the Planning Commissioners who voted no, and restriction on location of parking and use of parking areas.

A motion to approve P.Z. 8-97 was made by Councilmember Brown.

The motion was withdrawn by Councilmember Brown.

Jerry Duepner, Sachs Properties, clarified that if the site is to be developed for a preschool, which will utilize the existing building, grading will be necessary to adjust the current grade of the Firehouse site to the grade of the Hilltown Shopping Center. He noted that the Amoco underground fuel tanks were to be removed the next week. He also stated that if the site is used for a preschool, no access to Olive Boulevard will be proposed. He clarified that if the preschool isn't successful, Sachs Properties wants the ability to have offices on this site.

Steve Koslovsky, attorney for Sachs Properties, stated that the petitioner has no objection to requiring review of fencing. He then discussed the letter of May 22, 1997, from Sachs Properties, which would exclude play equipment less than six (6) feet in height from setbacks, delete the setbacks from the west parking lot, allow material other than masonry for the retaining walls, and clarify the time and use limitations of the Amoco site for parking.

Jerry Duepner, Sachs Properties, described the proposed plan of the daycare (West County Day School).

Councilmember Streeter stated that a fifty (50) square foot sign is too excessive.

Jerry Duepner responded that the old Zoning Regulations allows a maximum of fifty (50) square feet in the "C-2" District.

A motion to amend Attachment A, to reduce the allowable sign size to thirty-two (32) square feet was made by Councilmember Streeter and seconded by Councilmember Flachsbart for discussion.

After general discussion of proposed signs (wall signs, lighting of signs) the motion was approved by a vote of 4 to 0.

Councilmember Streeter inquired why Attachment A allows one (1) curb cut on Olive, when the plan proposed for the daycare doesn't depict any curb cuts on Olive. He stated that the access should be from Hilltown.

Jerry Duepner, Sachs Properties, responded that if an office use is proposed, they want to retain one (1) access on Olive.

A motion to amend Attachment A, page 2, condition 4(d) to allow not more than one (1) curb cut onto Olive if developed as an office use and to allow no access onto Olive if a day care use is developed was made by Councilmember Streeter, seconded by Chairman Hurt and approved by a vote of 4 to 0.

A motion to amend Attachment A, page 5, condition 4(u) to add fencing material was made by Councilmember Brown, seconded by Chairman Hurt and approved by a vote of 4 to 0.

A motion to amend Attachment A to include Sachs Properties letter of May 22, 1997, was made by Councilmember Brown, seconded by Councilmember Streeter and approved by a vote of 4 to 0. (a copy of this letter is attached)

Chairman Hurt stated that any petitions with proposed amendments which are added/submitted less than 24 hours before the Committee meetings are in danger of being held. He made a motion to make this a policy of the Committee. The motion died for lack of a second.

A motion to establish a policy of the Committee not to except additions/revisions unless they are in the meeting packet, except if the Committee votes on it, was made by Councilmember Flachsbart, and seconded by Councilmember Streeter.

Councilmember Streeter stated that he has received complaints from citizens who get copies of reports from the meeting packet and things change at the last minute.

City Administrator/Acting Director of Planning Herring suggested the following wording: The Committee will not except things that are not in the packet, unless they vote as a Committee that this item needs special consideration.

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

A motion to forward P.Z. 8-97 as amended to City Council with a recommendation for approval was made by Councilmember Brown, seconded by Councilmember Streeter and approved by a vote of 4 to 0.

**Note: Two bills relative to this matter will be needed for the June 2, 1997, City Council Meeting, one as recommended for approval by the Planning Commission and one as recommended for approval by the Planning and Zoning Committee.**

**ITEM II.** **P.Z. 26-96 The Nooning Tree Ltd. Partnership;** "NU" Non-Urban District to "R-3" 10,000 square foot Residence District; east side of Olive Boulevard, south of the intersection of Olive Boulevard and White Road and on the west side of White Road, south of the intersection of Olive Boulevard and White Road.

AND

**ITEM III.** **P.Z. 27-96 The Nooning Tree Ltd. Partnership;** a Planned Environment Unit (PEU) Procedure in the "R-3" 10,000 square foot Residence District; east side of Olive Boulevard, south of the intersection of Olive Boulevard and White Road and on the west side of White Road, south of the intersection of Olive Boulevard and White Road.

Assistant Director Griggs-McElhanon summarized P.Z. 27-96 (rezoning) and P.Z. 27-96 (PEU), which were both approved by the Planning Commission by a vote of 7 to 1. Separate motions are needed on these petitions.

Councilmember Streeter handed out recommended changes to Attachment A and discussed them item by item (copy attached).

There was general discussion among the Committee of how setbacks and offstreet parking areas impact Public Works issues.

Councilmember Streeter stated that the Committee has been discussing change in policies for the past year or two, on whether private streets should be allowed. His opinion that if private streets are allowed, they should be built to public standards and permanently gated.

Councilmember Brown indicated that she is concerned with the view from Faust Park, but that maybe lot size isn't an issue.

There was general discussion among the Committee of grades and landscaping.

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Randy Aselage, representing Nooning Tree, stated that there will be a berm and landscape along Olive. The St. Louis County Parks Department is having a landscape plan for this slope done to compliment Faust Park. Mr. Aselage did not know how much of top of hill is to be removed, probably ten (10) feet.

Randy Aselage stated that if there was no access to White Road, there would be a design problem with the gated community.

A motion to amend Attachment A, page 7, to add condition 5(ee) to read "A berm shall be provided in the thirty (30) foot common ground adjacent to Olive, minimum height of four (4) feet, and a minimum of five (5) foot cut" was made by Councilmember Flachsbart, seconded by Councilmember Streeter and approved by a vote of 4 to 0.

A motion to amend Attachment A, page 1, condition 1, to read as stated on the handout (copy attached) was made by Councilmember Flachsbart, seconded by Councilmember Streeter and approved by a vote of 4 to 0.

A motion to amend Attachment A, page 4, conditions 5(i), (j), and (k) to read as stated on the handout (copy attached) was made by Councilmember Flachsbart, seconded by Councilmember Streeter and approved by a vote of 4 to 0.

A motion to amend Attachment A, page 5, conditions 5(s) and (u) to read as stated on the handout (copy attached) was made by Councilmember Streeter, seconded by Councilmember Flachsbart and approved by a vote of 4 to 0.

A motion to approve P.Z. 26-96 was made by Councilmember Streeter, seconded by Councilmember Flachsbart and approved by a vote of 4 to 0.

**Note: One bill relative to this matter will be needed for the June 2, 1997, City Council Meeting.**

A motion to approve P.Z. 27-96 as amended was made by Councilmember Streeter, seconded by Councilmember Flachsbart and approved by a vote of 4 to 0.

**Note: Two bills relative to this matter will be needed for the June 2, 1997, City Council Meeting, one as recommended for approval by the Planning Commission and one as recommended for approval by the Planning and Zoning Committee.**

**ITEM VII. Clarification of involvement of Councilmembers and City Staff on six panels contained within "approved Moratorium game plan."**

Chairman Hurt stated that any items that the City Council and any Moratorium Committee wants to request for staff needs to go to City Administrator/Acting Director of Planning Herring first.

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City Administrator/Acting Director of Planning Herring provided a handout to the Committee from the HBA and also provided additional copies of his memo, dated May 21, 1997. He recommended that each of the 6 panels should have a different City Councilmember and a different Planning Commissioner to each, to serve as liaisons and to keep the City Council and Planning Commission informed as to the issues being discussed/recommendations developed by each panel. Discussion followed and the Committee agreed that it would be the Mayor's discretion as to whom to appoint to these panels.

There followed additional discussion among the Committee about the proposed panels - size, membership, need to expedite the work.

Mayor Greenwood stated that the HBA is recommending that the tree and grading issues be moved to the "Streets issues" panel. There was discussion about this request among the Committee members and it was clarified that the "Streets Issues" panel should focus on whether or not to have private streets and stub streets and, if so, how they should be designed.

City Administrator/Acting Director of Planning Herring recommended that the Committee authorize him, in advance, to acquire whatever expertise might be required by the six panels, that cannot be addressed in-house, through the use of local planning consulting firms.

A motion to authorize the City Administrator/Acting Director of Planning to obtain consulting services as needed by these six panels was made by Councilmember Flachsbart, seconded by Councilmember Streeter and approved by a vote of 4 to 0.

The next meeting is scheduled for 5:30pm on Thursday, June 5, 1997.

**The meeting adjourned at 8:20pm.**

# P.Z. 26 & 27-96 The Nooning Tree Ltd. Partnership

## Revisions to Attachment A:

page 1

### 1. PERMITTED USES

This Planned Environment Unit (PEU) authorizes the development of a maximum of seventy (70) attached single-family residences (Village A) and forty-one (41) detached single-family residences (Village B), with a minimum lot size for Village B of: **10,000 square feet for lots adjacent to the common ground along Olive Street Road and for all other lots, 8,000 square feet.**

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### 5. SITE DEVELOPMENT PLAN DESIGN CRITERIA

#### Access and Roadway Improvements, Including Sidewalks

- i. Access to the site shall be provided by the thirty-eight (38) foot wide roads **connecting to Olive Boulevard** proposed in the adjoining development to the south and west (P.Z. 18 & 19-93 Nooning Tree Partnership, City of Chesterfield Ordinance Number 957) with no direct access off of White Road or Olive Boulevard allowed. The southerly access shall align with the proposed public street approximately 380 feet west of the east property line of the tract.
- j. Access to this development **shall be** from Olive Boulevard (State Route 340) ~~shall be~~ as directed by the Missouri Highway and Transportation Department. No residential driveway access from this development onto Olive Boulevard will be permitted.
- k. ~~Access to this development from White Road shall be restricted to one (1) residential street entrance as directed by the St. Louis County Department of Highways and Traffic, which was approved in response to P.Z. 18 & 19-93 Nooning Tree Partnership (City of Chesterfield Ordinance Number 957). Additional White Road improvements may be required to accommodate the previously approved development.~~ **No access from White Road or connecting to White Road shall be permitted for this development, with the exception of an emergency access as required and approved by the Chesterfield Fire Protection District and the City of Chesterfield.**

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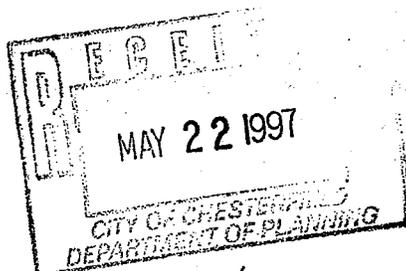
- s. All streets within the subdivision shall be constructed to City of Chesterfield minimum standards. The minimum width of the **all** streets in Village B shall be twenty-six (26) feet. ~~The minimum width of the streets in Village A shall be twenty-four (24) feet.~~ Angle parking directly off of the street will not be allowed on public streets. The streets in Village A shall be private. **The entrance into Village A shall be gated, as approved by the City of Chesterfield and the Chesterfield Fire Protection District.**
- u. **The entrance into Village A shall be gated, as approved by the City of Chesterfield and the Chesterfield Fire Protection District.** ~~If a gated security entrance is proposed, a~~ Approval from the Chesterfield Fire Protection District is required prior to issuance of Zoning Authorization by the City of Chesterfield. The gate and guard shack, if any, shall be located in a manner to eliminate traffic congestion on the adjacent roadway.



# SACHS PROPERTIES

May 22, 1997

Planning and Zoning Committee  
City of Chesterfield  
922 Roosevelt Parkway  
Suite 100  
Chesterfield, MO 63017



RE: P.Z. 8-97 Chesterfield Village, Inc.  
(Parcel C-322 Firehouse)

*Handout 5/22/97  
PZC*

Dear Committee Members:

Via correspondence dated May 12, 1997 (copy attached), Sachs Properties requested consideration by the Planning Commission of revisions to several conditions recommended by the Planning Department concerning P.Z. 8-97. We also reiterated that the petition seeks to incorporate the 0.87 acre former firehouse property into the Hilltown Center. Upon review of the conditions recommended by the Commission we ask for some additional revisions, principally for clarification.

Condition 4.a.(5) of Attachment A of the Commission report would require accessory structures and play equipment to maintain a fifty (50) foot setback from the north line. Our request to the Planning Commission sought a fifty (50) foot setback for accessory structures, which as interpreted under the zoning ordinance would be any structure over six (6) feet in height. Inclusion of the phrase "including play equipment" may be interpreted to include equipment less than six (6) feet in height (e.g., sandbox, balance beam, etc.). We ask that Condition 4.a.(5) be worded as follows:

Accessory structures shall be fifty (50) feet from the northern property line, and ten (10) feet from the west line which adjoins Hilltown Center.

As recommended by the Planning Commission in Conditions 4.a.(4) and 4.b.(3), a forty (40) foot setback for structures and a five (5) foot setback for parking would be established from the "western property line" respectively. It is our intent that the 0.87 acre site become part of Hilltown and our petition requests one ordinance governing Hilltown Center. The recommended structure setback would preclude a canopy over the main building entrance to the pre-school on the west side. Our request for setback to the Commission was based upon the possible office use of the site and parking at the rear of the site. The pre-school would, as depicted on the plan submitted, have parking adjoining the west side of the building and upon the former Amoco site. To clarify these setbacks we would request Condition 4.a.(4) be deleted and 4.b.(3) be revised to read:

Five (5) feet from the west line, to the rear of the existing building, which adjoins the existing Hilltown Center.

Relative to the western setback, the building footprint is limited by allowable floor area recommended by the Commission. With incorporation of the 0.87 acres into Hilltown, the properties become part of the same development.



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While we did not request consideration by the Commission of a revision of Condition 4.v. concerning retaining walls, we would ask for some flexibility relative to type of material. Recognizing that the material for a wall, if any were built, should be in keeping with the character of the area, we would ask for the following wording:

Retaining walls, if required shall be of masonry material or as approved by the Planning Commission.

Lastly, upon considering the comments at the Commission meeting by an adjoining resident, we would request the following condition to address concerns about parking should the building be converted to office use:

- 4.c. Parking and loading requirements shall be as required by Section 1003.165 of the City of Chesterfield Zoning Ordinance. Office use parking shall be limited to the western parking area (former Amoco site) on weekends and after 6:00 p.m. Monday through Friday.

We thank the Committee for its consideration of P.Z. 8-97, and seek your favorable recommendation of our requests.

Sincerely,

**SACHS PROPERTIES, INC.**



Jerry Duepner  
Development Manager

JD:sdr

Attachment

CC: Mayor Nancy Greenwood, City of Chesterfield  
Michael Herring, City of Chesterfield  
Kathy Higgins, Sachs Properties  
Merl Wilson, Sachs Properties  
Steven Koslovsky, Ziercher & Hocker  
Chad Elliot, West County Day School