

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: August 23, 2002

SUBJECT: Planning and Zoning Committee Meeting Summary from August 22, 2002

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, August 22, 2002, in Conference Room 101. In attendance were: Chair Dan Hurt (Ward III); Councilmember Jane Durrell (Ward I); Councilmember Barry Streeter (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Mayor John Nations; Planning Commission Chair Victoria Sherman; Senior Planner Barbara Weigel; Project Planner David Bookless; Project Planner Mike Hurlbert; Project Planner Annissa McCaskill; Project Planner John Wagner; Planning Technician Tim Renaud; and Kathy Lone, Planning Assistant.

*To be discussed at the 9/4/2002 City Council Meeting.

Chair Hurt called the meeting to order at 5:30 p.m.

I. Approval of the Planning and Zoning Committee Meeting Summary of August 8, 2002.

Councilmember Durrell made a motion to approve the Meeting Summary of August 8, 2002. The motion was seconded by Councilmember Brown and **passes by a voice vote of 4 to 0.**

***V. River Crossings – Ordinance Amendment**; an amendment to City of Chesterfield Ordinance Number 1772 governing River Crossings, a 15.8-acre “PC” Planned Commercial District located on Chesterfield Airport Road across from Public Works Drive.

Project Planner John Wagner gave an overview of the ordinance amendment for River Crossings and stated that the amendment to Ordinance Number 1772 was approved by Planning Commission by a vote of 8 to 0. Mr. Wagner stated that the approval was for a project identification sign for the development measuring no more than fifty (50) square feet in outline area at ground level (six feet or less in height). Mr. Wagner stated that the petitioner received approval from the Board of Adjustment for the variance.

General discussion followed concerning the size and the number of signs along Chesterfield Airport Road for this development.

Councilmember Brown made a motion to **approve** the amendment to Ordinance Number 1772 for **River Crossings**. The motion was seconded by Councilmember Durrell and **has a voice vote of 2 to 2.** (Chair Hurt and Councilmember Streeter voted nay.) This will be forwarded to City Council with no recommendation.

*** Note: One bill, as recommended by the Planning Commission, will**

**be needed for the September 4, 2002 City Council Meeting.
SEE Bill #**

III. Monarch Trace (formerly Lydia Hill): Site Development Plan, Architectural Elevations, and Landscape Plan for a residential development of four, twenty-four unit condominium buildings on a 15.52-acre tract of land in a R-5 Residential District with a PEU, located on Lydia Hill Drive, across from Central City Park.

Project Planner David Bookless gave an overview of Monarch Trace (formerly Lydia Hill). Mr. Bookless stated that the petitioner for Monarch Trace (formerly Lydia Hill) was directed to return to this meeting to discuss relocating the carports to the rear of the buildings, revising the elevations for both the building and parking structures, and landscaping and a potential berm along Lydia Hill Drive.

Mr. Jerry Duepner, petitioner for Monarch Trace (formerly Lydia Hill), stated that all surface parking and trash enclosures have been moved behind the buildings, the buildings have been moved forward towards Lydia Hill Drive with a setback of 20 feet from the right-of-way, a four (4) foot berm has been added along the frontage, elevations have been revised with additional stone added to the front of the buildings, and additional landscaping has been added along Lydia Hill Drive.

General discussion followed concerning moving the buildings back from Lydia Hill Drive or reducing the buildings by one (1) story, staggering or pivoting the buildings, the berm along Lydia Hill Drive, moving the detention basin, tree preservation, location of the electrical meters for the development, building a more up-scale development next to the City's park and the possibility of the City purchasing this land.

Chair Hurt made a motion to direct the petitioner to return to the September 5, 2002 Planning and Zoning Committee Meeting with a revised site development plan with a six (6) foot berm with landscaping, to change the angle of the buildings to break up the straight across look, and with elevations to get a sight line from the park showing what people will see of this proposed development. The motion was seconded by Councilmember Brown and **passes by a voice vote of 4 to 0.**

Chair Hurt recommended that Mayor Nations and Councilmember Streeter have discussions with the Jones Company and Fischer & Frichtel concerning changing the development.

***IV. P.Z. 08-2002 Solon Gershman, Inc.:** A request for a change in zoning from a "C2" Shopping District to a "PC" Planned Commercial District for a .25 acre tract of land located on the north side of Olive Boulevard and east of Woods Mill Road.

Project Planner Mike Hurlbert gave an overview of P.Z. 08-2002 Solon Gershman, Inc. and stated that this petition was approved with conditions by the Planning Commission by a vote of 7 to 1.

Mr. Hurlbert stated that considerable discussion occurred with the Planning Commission concerning the access.

General discussion followed concerning wording on signs pertaining to exiting the development, extending the median on Olive Boulevard, concerns of the Department of Public Works under the existing ordinance, why the cross access with the Seven-Eleven was not eliminated, and the use of a pork chop on Olive Boulevard.

Councilmember Durrell stated that Councilmember Barry Flachsbart (Ward I) has stated that he would like to have an extended median on Olive Boulevard and right in/right out exit. Councilmember Durrell stated that she disagrees.

Mr. Gary Feder, attorney for the petitioner, stated that he would be willing to come up with more positive wording for the exit signs.

Councilmember Brown made a motion to direct Staff to prepare language for an exit sign for east-bound Olive Boulevard traffic and include an arrow on the sign. The motion was seconded by Councilmember Durrell **and passes by a voice vote of 4 to 0.**

Chair Hurt made a motion to have MoDOT extend the median and the cost to be paid by the petitioner as per the ordinance. The motion was seconded by Councilmember Streeter **and has a voice vote of 2 to 2.** (Councilmember Brown and Councilmember Durrell voted nay.) This will be forwarded to City Council with no recommendation.

Chair Hurt stated that he would discuss this with Mike Geisel, Director of Public Works.

Chair Hurt directed Staff to inform Mr. Geisel of this motion to extend the median.

Councilmember Durrell made a motion to approve and forward to City Council **P.Z. 08-2002 Solon Gershman, Inc.** The motion was seconded by Councilmember Brown **and has a voice vote of 2 to 2.** (Chair Hurt and Councilmember Streeter voted nay.) This will be forwarded to City Council with no recommendation.

*** Note: One bill, as recommended by the Planning Commission, will be needed for the September 4, 2002 City Council Meeting.
SEE Bill #**

Mayor John Nations arrived at the meeting at 7:10 p.m.

General discussion followed concerning the City Council policy pertaining to having two (2) bills forwarded to City Council; one (1) from the Planning Commission and one (1) from the Planning and Zoning Committee and voting on the amended bill.

Chair Hurt directed Staff to place an item on the next Planning and Zoning Committee Agenda to address the policy of forwarding items to City Council from the Planning Commission and the Committee.

Chair Hurt directed Staff to review with City Attorney Doug Beach if the Committee can vote on the Planning Commission's version with amendments.

VI. Property Maintenance/Nuisance Code

Senior Planner Barbara Weigel stated that City Attorney Doug Beach was on vacation and could not review the revised nuisance ordinance revision but did state that due to the nature of these particular issues, building maintenance should not be included in the nuisance ordinance but would require a separate ordinance. Ms. Weigel stated that Prosecuting Attorney Tim Engelmeyer stated that it would be up to the opinion of the City Attorney.

General discussion followed concerning changing language in the property maintenance ordinance from 'shall' to 'that has,' what should be included in the property maintenance ordinance, what is injurious to the public health, safety or welfare of the citizens, enforcing the property maintenance ordinance only after a violation with three (3) or more items, the biggest problem being on rental properties, not being able to pay for repairs, and requiring inspections on homes when being sold.

Chair Hurt made a motion to direct Staff to draft an ordinance per City Attorney Doug Beach's instruction along these lines if he thinks it should be a separate ordinance and bring back to the Committee when it is completed. Court actions, appeals, etc. would be would be same as in Ordinance #385 and wording would be changed from 'shall' to 'that has,' The motion was seconded by Councilmember Brown **and passes by a voice vote of 3 to 1.** (Councilmember Streeter voted nay.)

Chair Hurt directed Staff to provide a copy of the draft to Ms. Elizabeth Thimling of the St. Louis Association of Realtors, who was in attendance at the meeting.

VII. Pending Projects/Departmental Update

Project Planner Annissa McCaskill gave an overview on the Zoning Ordinance update process. Ms. McCaskill stated that the consultants would be holding meetings on August 28 and August 29 to meet with various groups that utilize the Zoning Ordinance to discuss what problems and difficulties they have with the ordinance and making it more user friendly. Ms. McCaskill stated that Staff has a suggested list of names to invite to the meetings and asked the Committee if they had additional names they would like added to the list.

The Committee suggested Glenn Borgard (CCDC), Greg Smith (attorney for Sach's Properties), and a representative from THF Realty.

II. P.Z. 38-2001 Davis Street Land Company, L.L.C.: A request for a change of zoning from a "C-8" Planned Commercial District to a "P-C" Planned Commercial District for a 1.983 acre tract of land located between Clarkson Road and Old Baxter Road, south of Chesterfield

Parkway East (Locator Numbers 19S-44-0435 and 19S-44-0468).

Chair Hurt stated that he had received a letter from Mr. Mike Doster, the attorney for **P.Z. 38-2001 Davis Street Land Company, L.L.C.**, stating that he was on vacation and requesting that this petition be held until the September 5, 2002 Planning and Zoning Committee Meeting. Chair Hurt stated that he has discussed this petition with Dave Nichols of the Chesterfield Fire District and has received a revised plan from the petitioner.

Chair Hurt stated that as long as a fire truck could get between the two (2) buildings and within 1,000 feet of the buildings, the revised plan would be approved by the Fire District. Chair Hurt stated that Mr. Nichols would like cross access with the proposed development to the south. Chair Hurt stated that the changes include a plaza between the two buildings that would include landscaping and benches. The new plan would have a green space ratio of 41%.

Project Planner David Bookless presented the Committee with a hand-out that included the definition of 'boutique retail.'

General discussion following concerning the 'boutique retail' definition, and green space and parking ratios.

Councilmember Durrell made a motion to hold **P.Z. 38-2001 Davis Street Land Company, L.L.C.** until the September 5, 2002 Planning and Zoning Committee Meeting. The motion was seconded by Councilmember Streeter **and passes by a voice vote of 4 to 0.**

Chair Hurt stated that the petitioner would submit the revised plans to Staff before the September 5, 2002 Committee meeting.

The meeting unanimously adjourned at 8:02 p.m.

TP/kl