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PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

Minutes - September 6, 1989

A meeting of the Planning and Economic Development Committee of the Chesterfield City Council was held on September 6, 1989, in the Council Conference Room, at 5:30 p.m. In attendance were Councilmember Dick Hrabko, Chairman (Ward IV); Councilmember Betty Hathaway (Ward I); Councilmember Judy Bute (Ward II); Jerry Duepner, Director of Planning/Economic Development; Anna Kleiner, Planning Specialist; Barbara McGuinness, Chairman City of Chesterfield Planning Commission; and Mary Donahidy, Vice-Chairman Planning Commission. Councilmember Dan Hurt (Ward III) arrived later.

Item #1 P.Z. 22-89-Einton Development, Inc.; a request for an amended Planned Environment Unit in the "R-2" 15,000 square foot Residence District and the "R-3" 10,000 square foot Residence District for a 15.6 acre tract of land; north side of Olive Boulevard, west of Western Mill.

Director Duepner presented the recommendation of the Planning Commission for approval of amendment of the Planned Environment Unit subject to conditions.

A motion was made by Councilmember Hathaway for approval of the requested amendment. The motion was seconded by Councilmember Bute, and approved by a vote 3 to 0.

Note: An Ordinance relative to this matter will be needed for the September 18th City Council Meeting.

Item #2 A report from the Planning Commission concerning correspondence from Mr. John P. King appealing Planning Commission denial of extension of time for commencement of construction of P.C. 89-83 Chesterfield Village (Willow Creek Apartments); north side of Olive Boulevard, west of West Drive.

Director Duepner presented the report of the Planning Commission in response to appeal of the denial for a one year extension of time for commencement of construction. Director Duepner noted that, upon review, the Planning Commission recommends approval of a one year extension subject to review and approval of the site development plan and architectural elevations, prior to commencement of construction. He further noted that the Planning Commission in its most recent action on this matter, was of the opinion that review of the site development plan would aid in addressing prior concerns expressed regarding changing conditions within the area of the proposed development.

A motion was made by Councilmember Bute for approval of a one extension subject to conditions. The motion was seconded by Councilmember Hathaway, and approved by a vote of 3 to 0.

Note: Council action is necessary on this matter at the September 18th meeting.

(Councilmember Dan Hurt arrived at the meeting at this time.)

Item #3 Correspondence from the Department of Planning/Economic Development regarding protest submitted relative to P.C. 20-89 Gerald Kerr Homes; a request for a Planned Environment Unit in the "R-2" 15,000 square foot Residence District; north side of Clayton Road, west of Claymont Estates Drive.

Director Duepner explained that the protest petition submitted relative to this matter had been verified by the Department of Planning, and it was determined to be a valid protest. The Zoning Ordinance requires that a minimum of 25% of the owners of property within 1,000 feet of the subject property sign the protest petition. The Department verified that 40% of the owners within 1,000 feet had signed the protest, thus making it a valid protest petition. Director Duepner explained the process which must be followed subsequent to review of the protest by the Planning Commission, and referral back to the City Council.

A motion was made by Councilmember Bute that the Planning Commission review the protest petition at its meeting on September 25, 1989, and that a hearing on this matter be scheduled before the Planning and Economic Development Committee for October 4th, 6:00 p.m., if the protest is submitted within the required time. The motion was seconded by Councilmember Hathaway, and approved by a vote of 4 to 0.

Item #4 Policy for conducting of Planning and Economic Development Committee Meetings.

Director Duepner presented an overview of current policy concerning the conducting of Planning and Economic Development Committee Meetings.

Concern was raised by several members of the Committee that, under the current arrangement, the petitioner does not have the opportunity to respond or comment upon recommended conditions in Planning Commission reports.

Director Duepner suggested that the department could make available to the petitioners, a copy of the Commission conditions the day after the Commission Meeting. The petitioner could then have until 5:00 p.m. Friday of that week to submit a written response of comments on the conditions and, if submitted, Staff could include within the Planning and Economic Development Committee packet.

Upon discussion, Committee members were of the opinion that the petitioner should be given the opportunity to at least respond to questions at the Committee meeting; however, such exchanges should be conducted in a formal manner.

A motion was made by Councilmember Hute that the Department of Planning/Economic Development Staff would make available a copy of the Planning Commission recommended conditions on Tuesday, after Planning Commission Meetings, for review by the petitioner; the petitioner should submit his response by 5:00 p.m. Friday to the Department of Planning, and included within the response request to address the Committee; the petitioner's response should state concerns and reasons for concerns relative to Planning Commission conditions. The motion was seconded by Councilmember Hathaway, and approved by a vote of 4 to 0.

Item #5 Moratorium on rezoning.

Director Duepner presented an overview of the Comprehensive Plan process and current status thereof.

Chairman Hrabko cited concern relative to rezoning requests along Olive/Clarkson Road, and the need for guidance from the Comprehensive Plan. Discussion by Committee Members focused upon whether a moratorium should be considered on all zoning or for particular zoning classifications.

Councilmember Hathaway suggested a total moratorium on rezoning along Olive/Clarkson Road be considered.

It was noted that, if a moratorium was put into place, it could be taken off at any time, and that it should apply to property with frontage, as well as access, to Olive/Clarkson Road. Director Duepner was questioned relative to the applicability of a moratorium to illegal, non-conforming uses along Olive/Clarkson Road. Director Duepner cited that any such uses would not be prosecuted until such time as the moratorium is lifted, and the owners of the property were able to pursue rezoning.

A motion was made by Councilmember Hathaway for a moratorium on new zoning for property with frontage and/or access along Olive/Clarkson Road be in effect until January 31, 1990. The motion was seconded by Councilmember Hurt, and passed by a vote of 4 to 0.

Item #6 Site Plans, Building Elevations and Signs reviewed by Planning Commission on August 28th.

- A. P.Z. 16-89 Friendship Village; amended Conditional Use Permit in "NU" Non-Urban District Site Development Plan; west side of Olive Boulevard, at Appalachian Trail Drive.

The meeting adjourned at 6:55 p.m.