

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: September 7, 2001

SUBJECT: Planning and Zoning Committee Meeting Summary from September 6, 2001

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, September 6, 2001, in the City Council Conference Room. In attendance were: Chair Charlie Scheidt (Ward IV); Vice Chair Dan Hurt (Ward III); Councilmember Barry Streeter (Ward II); and Councilmember Jane Durrell (Ward I). Also in attendance were: Councilmember Bruce Geiger (Ward II); Planning Commission Vice Chair Stephanie Macaluso; Director of Planning Teresa Price; Senior Planner Barbara Weigel; and Kathy Lone, Executive Secretary/Planning Assistant.

*To be discussed at the 9/19/2001 City Council Meeting.

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

I. Approval of the Planning and Zoning Committee Meeting Summary of August 23, 2001.

Vice Chair Hurt made a motion to approve the Meeting Summary of August 23, 2001. The motion was seconded by Chair Scheidt and **passes by a voice vote of 3-0-1**. (Councilmember Streeter abstained from voting since he was absent from the August 23, 2001 Meeting.)

***II. P.Z. 44-2000 Stoneridge Development**; a request for a change of zoning from an “NU” Non-Urban District to an “R-6” 2,000 square-foot Residence District for 9.2 acres of land located on the south side of South Outer Forty Road, northeast of Yarmouth Point Drive and Candish Lane. (Locator Numbers 19R-61-0026 and 19R-61-0312).

Director of Planning Teresa Price gave an overview of this petition. Ms. Price stated that the City Council returned this petition to the Planning Commission to reconsider rezoning to R-5 6,000 Square-Foot Residence District. Ms. Price stated that the Planning Commission voted 9 to 0 on August 27, 2001 to recommend rezoning **P.Z. 44-2000 Stoneridge Development** to R-5 6,000 Square-Foot Residence District.

Vice Chair Hurt made a motion to approve and forward to City Council the recommendation to rezone **P.Z. 44-2000 Stoneridge Development** to R-5 6,000 Square-Foot Residence District. The motion was seconded by Councilmember Streeter.

Vice Chair Hurt stated that he wants City Council to be aware of two (2) issues that may require a PEU (Planned Environment Unit) if rezoned to R-5 6,000 Square-Foot Residence District:

1. Buffering to the western boundary – the current setback is 25 feet but would like the western boundary doubled to 50 feet and the eastern boundary could be less;
2. Address the entrance so that it would be east of the slip ramp to Highway 40.

Ms. Mary Schultz, attorney for the owner and developer of this proposed site, stated that they object to rezoning this site to the R-5 6,000 Square-Foot Residence District zoning classification. Ms. Schultz stated that the City's obligation is to allow for a zoning classification of property that allows it to be reasonably adaptable to the permitted uses in that district. Ms. Schultz stated that a summary of the economic analysis has been provided to the City about how, even under the R-6 zoning classification which is what the petitioner requested, development of this property is marginally feasible, marginal at best. A request that this property be rezoned for office development was rejected and the Planning Commission recommended 9 to 0 against rezoning this property to R-6. Ms. Schultz stated that the extent to which the City is to look at the economic feasibility study that was provided to the City, the City's obligation is to provide for a zoning classification that does allow for the adaptability of use.

Ms. Schultz stated that her intention was to state for the record that the developer is opposed to R-5 rezoning. Ms. Schultz stated that she felt that the City would benefit from the reasoning behind that objection. Ms. Schultz stated that the underlying data on the economic feasibility study really can't be available for the City because it will become public record. Ms. Schultz stated that the developer would like to have a real estate analyst with Development Strategies, Inc. give a presentation to City Council.

Councilmember Streeter stated that the City is recommending rezoning to a use that is appropriate which is R-5. Councilmember Streeter stated that, with regards to the economic feasibility, the developer's economics are not his concern when it comes to rezoning.

Ms. Schultz stated that is not what the courts say.

Vice Chair Hurt asked Ms. Schultz what the amount of money was that was paid for the land.

Ms. Schultz stated that the underlying data has not been available.

Vice Chair Hurt asked Ms. Schultz that an economic feasibility study was provided to the City that does not include the price of the land.

Ms. Schultz stated that a summary of the study and a cover letter of underlying economic data has been submitted to the City.

Vice Chair Hurt stated that the price of the land is a very important factor in the economic feasibility study.

General discussion followed concerning the differences between R-5 and R-6 zoning and why R-5 rezoning was chosen over the other classifications.

Planning Commission Vice Chair Stephanie Macaluso stated that the Planning Commission did not like the density, setbacks and traffic for an R-6 zoning and it was suggested by the City Council to reconsider R-5 6,000 Square-Foot Residence District rezoning.

Vice Chair Hurt stated that the Planning Commission does not have the ability to change a zoning classification that is presented to them.

Vice Chair Hurt called for the question. The call for the question was seconded by Councilmember Streeter and **passes by a voice vote of 4 to 0.**

The motion is to approve and forward to City Council the recommendation to rezone **P.Z. 44-2000 Stoneridge Development** to R-5 6,000 Square-Foot Residence District. The motion was seconded by Councilmember Streeter and **passes by a voice vote of 3 to 1.** (Councilmember Durrell voted nay.)

***Note: One bill, as recommended by the Planning Commission, will be needed for the September 19, 2001 City Council Meeting.
SEE Bill #**

III. Pending Projects/Departmental Update –

Director of Planning Price stated that the Department is fully staffed.

Ms. Price stated that the Comprehensive Plan Citizen's Committee will be meeting on September 13, 2001 and will be dealing with more details on policy and land use issues.

Ms. Price stated that Staff is working on City Attorney Beach's draft copy of the Property Maintenance Code.

Councilmember Streeter made a motion to adjourn the meeting. The motion was seconded by Councilmember Durrell and **passes by a voice vote of 4 to 0.** The meeting adjourned at 5:56 p.m.