

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE  
PUBLIC HEARING  
October 4, 1989

A public hearing was held by the Planning and Economic Development Committee on October 4, 1989, at 6:00 p.m., in the City Council Chambers, in response to a protest filed in opposition to P.Z. 20-89 Gerald Kerr Homes Corporation. In attendance were Councilmember Richard Hrabko (Chairman, Ward IV), Councilmember Jade Bute (Ward II), Councilmember Betty Hathaway (Ward I), Councilmember Dan Hurt (Ward III), Planning Director Jerry Duespner, and Planning Specialist Anna Kleiner.

Planning Specialist Kleiner summarized the Planning Commission's re-affirmation of its initial recommendation of approval for P.Z. 20-89.

SPEAKERS IN OPPOSITION

1. Terry Weatherby, 570 Corley, spoke as a Trustee for Brookmont Estates Subdivision.

Mr. Weatherby provided a history of the development of Brookmont Estates, and the Clayton on the Green Nursing Home development. Mr. Weatherby also provided several definitions of spot zoning, stating P.Z. 20-89 proposes spot zoning. Mr. Weatherby stated that "R-1A" Zoning would be more appropriate than what is requested. The minimum lot size of 22,000 square feet proposed for the northern boundary of this site is acceptable.

Councilmember Hathaway stressed that, even though the existing developments were approved while the area was unincorporated St. Louis County, the City of Chesterfield is setting new standards, and new development may vary from the existing developments.

2. Mr. George Brenner, 508 Redondo, speaking as both an individual and a representative of the Trustees of Claymont Estates Subdivision.

Mr. Brenner summarized the purpose of zoning in general. He noted the existing lot sizes in Claymont Estates and Brookmont Estates, as well as the fact that a majority of the garages in the area were side or rear entry garages. He also indicated that the elevation of the Kerr site was to be at least ten (10) feet higher than the elevation of Brookmont Estates. Mr. Brenner presented the letter dated August 3rd, and proposals made to the Planning and Economic Development Committee.

SPEAKERS IN FAVOR

1. Mr. Mark Teitelbaum, representative of the Gerald Kerr Homes Corporation, spoke as the petitioner.

Mr. Teitelbaum noted the size of lots in Brookmont Estates, the desire not to pursue a development that would be spot zoning by his definition, and the clarification that the land across the street is in unincorporated St. Louis County, and not in the City of Ballwin. Mr. Teitelbaum also stated that the garage style used will be the decision of the purchaser. Mr. Teitelbaum intends to meet the grading requirements of the City of Chesterfield, and stated that restrictions on that caused the higher elevations of the Kerr site.

Mr. Duespner responded to several questions from the Committee.

The Public Hearing concluded at 6:50 p.m.

[PH10-4MN]

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

Minutes - October 4, 1989

A meeting of the Planning and Economic Development Committee of the Chesterfield City Council was held on October 4, 1989, in the Council Conference Room, at 5:30 p.m. In attendance were Councilmember Richard Hrabko, Chairman (Ward IV); Councilmember Betty Hathaway (Ward I); Councilmember Jade Bute (Ward II); Jerry Duesner, Director of Planning/Economic Development; and Anna Kleiner, Planning Specialist. Councilmember Dan Hurt (Ward III) arrived later during the meeting.

Item #1 Notice of Protest regarding P.Z. 18-89 Charles Liebert; Planned Environment Unit in a Residence District; west side of Schoettler Road at Westerly Drive.

Planning Director Duesner presented a report noting that a Protest Notice had been filed regarding P.Z. 18-89. The Protest Notice is valid, in that the Notice contained signatures of owners of over 25% of the property within 1,000 feet of the subject tract. Director Duesner noted that the Planning Commission was awaiting filing of the Protest Statement.

Item #2 Correspondence from Mr. Sid Kolton requesting amendment of Planned Environment Unit Ordinance (P.C. 95-88 Borman Development Corporation); terminus of Baxter Lane, east of Old Baxter Road.

Director Duesner noted that Mr. John Auer, of Raleigh-Givens-Maynes (the petitioner), submitted a letter requesting that this item be held on the agenda.

The Committee unanimously agreed to hold this matter until the next meeting on October 18, 1989.

Item #3 P.Z. 27-89 City of Chesterfield Planning Commission; amending of Section 1003.107 "NU" Non-Urban District regulations of the Zoning Ordinance of the City of Chesterfield.

Director Duesner presented the recommendation of the Planning Commission for approval of amending the Non-Urban District regulations. The amendment would allow the bulk sale of mulch, gravel, and similar materials in conjunction with a Conditional Use Permit for a commercial nursery with a salesroom.

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

Note: An ordinance relative to this matter will be needed for the October 16th City Council Meeting.

Item #4 Correspondence from Mr. Merl C. Wilson requesting extension of time for submittal of site development plan; P.C. 141-79 Chesterfield Village, Incorporated; northwest quadrant of U.S. Highway 40 and Olive Boulevard.

Director Duepner presented the report of the Planning Commission granting the requested extension of time, and noted that the action necessary by the City Council on this matter would be to receive and file the report.

A motion was made by Councilmember Bute to recommend that Council receive and file the report. The motion was seconded by Councilmember Hathaway, and approved by a vote of 3 to 0.

Item #5 Correspondence from Mr. Merl C. Wilson requesting extension of time for submittal of site development plan; P.C. 223-77 Sachs Properties; west side of Chesterfield Village Parkway, south of Chesterfield Airport Road.

Director Duepner presented the Planning Commission's report granting the requested extension of time, and noted that the Council action necessary on this item would be to receive and file the report.

A motion was made by Councilmember Bute to recommend that Council receive and file the report. The motion was seconded by Councilmember Hathaway, and approved by a vote of 3 to 0.

Item #6 Chesterfield Square; Subdivision Record Plat; west side of Olive Boulevard, south of Chesterfield Village Parkway.

Planning Specialist Kleiner presented the report of the Planning Commission recommending approval of the subdivision record plat.

A motion was made by Councilmember Bute to recommend approval of the record plat. The motion was seconded by Councilmember Hathaway, and approved by a vote of 3 to 0.

Note: An ordinance relative to this matter will be needed for the October 16th City Council Meeting.

Item #7 Stonebriar Plat I (Re-subdivision of Lots 6, 8, 9 and a portion of the common ground); Subdivision Record Plat; east side of Stonebriar Ridge Drive, north of Kehre Mill Road.

Director Duepner presented the report of the Planning Commission recommending approval of this record plat.

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

Note: An ordinance relative to this matter will be needed for the October 16th City Council Meeting.

Item #8 Memorandum from the Director of Planning/Economic Development regarding Bi-State.

Director Duepner summarized his report relative to the efforts of the Transportation Sub-Committee of the Economic Council to improve bus service to the City of Chesterfield. Recently, Bi-State has revised the route of the Olive/Delmar line to serve both Monsanto and the Doubletree. Discussions have been held with the manager of Chesterfield Mall to allow a bus stop on the Mall property. To date, the Mall Manager has refused to allow a bus stop to be placed upon Mall property, noting the damage buses cause to pavement. Director Duepner noted that, currently, the nearest bus stop to serve the Chesterfield Mall is located on Clarkson Road, near the 300 Center Office Building. This situation has caused concern for safety of persons desiring to catch the bus northbound on Clarkson Road. Currently, they must cross Clarkson Road in order to reach the bus stop on the east side of Clarkson Road.

A motion was made by Councilmember Bute that the Committee urge a solution to the bus stop problem on Clarkson Road, and that the Department of Planning/Economic Development continue in its efforts to make arrangements with the Mall for location of a bus stop on the Mall property. The motion was seconded by Councilmember Hathaway, and approved by a vote of 3 to 0.

Item #8 Memorandum from the Director of Planning/Economic Development regarding policy on street acceptance in the City of Chesterfield.

Director Duepner summarized the current policy relative to street acceptance in the City of Chesterfield, noting the current status of the proposal to establish a maintenance escrow for streets. This proposal would apply to streets which are eventually to be accepted by the City for maintenance, but, at the present time, are being maintained by a developer. Mr. Duepner further noted that the maintenance escrow proposal has been the subject of a public hearing before the Planning Commission, and that it would be his recommendation that the matter be put on hold until such time as the Public Works Committee had an opportunity to review policy matters relative to the implementation of such a maintenance escrow procedure. These policy matters would address such topics as the amount of snowfall requiring removal, the monitoring of snowfall removal, etc.

The Committee unanimously agreed to receive and file the report of the Department of Planning.

Councilmember Hurt arrived at this time.

The Committee adjourned at this time to hold a public hearing in response to a protest petition concerning P.Z. 20-89 Gerald Kerr Homes.

Subsequent to the public hearing, the Committee re-convened its meeting.

Item #9 A petition protesting recommendation of approval by the Planning Commission for a Planned Environment Unit Procedure; P.Z. 20-89 Gerald Kerr Homes; north side of Clayton Road, west of Claymont Estates Drive.

Committee Member Hurt expressed concern relative to the gross density of the development and the visual effect that the development may have on adjacent property. In addition, he noted that the adjoining property owners had concerns relative to development of this site with homes having front entry garages.

Committee Member Hathaway expressed concern that all trees along the north line in excess of three (3) inches in caliper should be retained where possible.

A motion was made by Councilmember Hurt for approval of rezoning to "R-1A" and a Planned Environment Unit with a maximum of eighteen (18) lots, and minimum lot size of 22,000 square feet on the north side of the Kerr tract, adjacent to Brookmont Estates. The motion failed for lack of a second.

A motion was made by Councilmember Hathaway for approval of the Planning Commission recommendation of rezoning to "R-2" Residence District with a Planned Environment Unit, and the requirement that the landscape plan to be submitted to depict all trees of three (3) inch caliper or greater. The motion was seconded by Councilmember Bute, and approved by a vote of 3 to 1, with Councilmember Hurt voting no. (He deemed the "R-1A" Residence District to be appropriate.)

Item #10 Memorandum from the Director of Planning/Economic Development regarding clarification of Moratorium area boundaries.

Director Duepner summarized the report, noting that a tract of ground located on the northwest corner of Nardin and Swingley Ridge had been discussed for possible rezoning, and that this tract was within the areas of the prescribed moratorium adopted by the City Council.

Upon discussion, the Committee Members were of the opinion that this tract would not be included within the moratorium, in that alternate access could be available to the site with the connection of Swingley Ridge Drive. With this roadway connection, the site would have access other than to Olive Boulevard.

The Committee anticipates that the Department of Planning/Economic Development would, from time to time, bring in other tracts of ground to clarify the extent of the moratorium boundaries.