

# MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning ✓

DATE: October 13, 1999

SUBJECT: Planning and Zoning Committee Meeting Summary from October 7, 1999

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A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, October 7, 1999, in the City Council Conference Room. In attendance were: Chair Mary Brown (Ward IV); Councilmember Jane Durrell (Ward I); Councilmember Barry Streeter (Ward II); and, Councilmember Mike Casey (Ward III). Also in attendance were: Mayor Nancy Greenwood (arrived later); Planning Commission Chair Dan Layton; Teresa J. Price, Director of Planning; Laura Griggs-McElhanon, Assistant Director of Planning; and, Jennifer Samson, Planner I.

\*To be discussed at 9/22/1999 City Council Meeting.

**I. Approval of Planning and Zoning Committee Meeting Summary of September 23, 1999.**

A motion to approve the meeting summary of September 23, 1999 was made by Councilmember Durrell and seconded by Councilmember Streeter.

The motion was **approved by a vote of 3 to 0 to 1**, with Chair Brown abstaining because she was not in attendance.

**\*IV. P.C. 38-87 Geriatrics Management, Inc. (Brooking Park); Amendment of Conditional Use Permit Number 557 in the "R-1" One Acre, "FPR-1" Flood Plain One-Acre, and "R-3" 10,000 square foot Residence Districts; west side of Old Woods Mill Road, north of Conway Road.**

Assistant Director of Planning Laura Griggs-McElhanon described the request to amend the setbacks for Brooking Park. She advised the Committee that Brooking Park has purchased the property adjacent to the are where the setbacks are to be reduced. Although the setbacks from the CUP limits are to be reduced, the setbacks from the new property line is greater that the original CUP requirement.

John King, attorney for Brooking Park, stated that a deed has been filed for the entire tract.

There was general discussion about the setbacks.

A motion to **approve the amendment request** was made by Councilmember Casey, seconded by Councilmember Streeter and **approved by a vote of 4 to 0**.

**NOTE: No legislation is needed for this item. This would be "received and filed" by the City Council and become effective 15 days later.**

\*V. **P.Z. 20-1999 U.S. Ice Sports Complex**; A request for a change of zoning from "NU" Non-Urban District with a Conditional Use Permit (CUP) to "PC" Planned Commercial District for two parcels located on the north side of North Outer Forty, east of the intersection of Boones Crossing and North Outer Forty. Proposed Uses:

- Arenas and stadiums;
- Associated work and storage areas required by a business, firm or service to carry on business operations;
- Auditoriums, churches, clubs, lodges, meeting rooms, libraries, reading rooms, theaters, or any other facility for public assembly;
- Medical and dental offices;
- Outdoor advertising signs (additional to provisions of Section 1003.168);
- Permitted signs (see Section 1003.168 "sign regulations");
- Parking areas, including garages for automobiles, but not including any sales of automobiles or the storage of wrecked or otherwise damaged and immobilized automotive vehicles for a period in excess of seventy-two (72) hours;
- Recreational facilities, indoor and illuminated outdoor facilities, including swimming pools, golf courses, golf practice driving ranges, tennis courts, and gymnasiums, and indoor theaters, including drive-in theaters;
- stores, shops, markets, service facilities, and automatic vending facilities in which goods or services of any kind, including indoor sale of motor vehicles, are being offered for sale or hire to the general public on the premises;
- any other uses permitted by the Zoning Ordinance after future public hearing.

Jennifer Samson, Planner I, described the request. The Ice Sports Complex wanted to add "physical therapy" as a permitted use, which resulted in the need to rezone to "PC" Planned Commercial. No addition to the facility is being proposed.

There was general discussion by the Committee, including: location of physical therapy use (on the second floor); advertising sign use (petitioner requested this, but was not supported by the Planning Department or Planning Commission)

A motion to **approve P.Z. 20-1999** and delete "including indoor sale of motor vehicles" as a permitted use was made by Councilmember Streeter, seconded by Councilmember Durrell and **approved by a vote of 4 to 0**.

**Note: Two bills relative to this matter will be needed for the October 18, 1999, City Council Meeting (one as recommended by the Planning Commission, and one as recommended by the Planning & Zoning Committee).**

**SEE Bill # (as recommended by the Planning Commission)**

**SEE Bill # (as recommended by the Planning & Zoning Committee)**

- \*II. P.Z. 23-1999 T.K. Properties**; A request for a change in zoning from “NU” Non-Urban District to “PC” Planned Commercial District for a 0.5 acre tract of land located on Chesterfield Airport Road, east of Baxter Road Extension. Proposed Use: Office or other uses which may be sought under the Chesterfield Zoning Ordinance after future public hearings.
- \*III. P.Z. 24-1999 T.K. Properties**; A request for a Landmark and Preservation Area (LPA) Procedure in the “PC” Planned Commercial District for a 0.5 acre tract of land located on Chesterfield Airport Road, east of Baxter Road Extension.

Assistant Director of Planning Laura Griggs-McElhanon presented the request to rezone this property to allow an office to be operated out of the existing house. The LPA Procedure is necessary due to setback problems.

There was general discussion by the Committee, including: type of surface for the driveway (gravel or pavement); ability to demolish the existing house; and type of surface for the sidewalk.

A motion to **amend** condition 4(c) to add “not”, which would prohibit the use of gravel, was made by Councilmember Casey and seconded by Councilmember Streeter.

There was general discussion by the Committee, including: alternative parking and drive surfaces; and uniformity of these surfaces.

The motion **failed by a vote of 2 to 2**, with Chair Brown and Councilmember Durrell voting no.

A motion to **approve** P.Z. 23 & 24-1999 was made by Councilmember Casey and seconded by Councilmember Durrell.

There was general discussion by the Committee on streetlights on Chesterfield Airport Road (number required and type of).

Councilmember Durrell advised the Committee that the Historic District Task Force is up and running and Lauren Strutman is heading it up.

A motion was made by Councilmember Durrell, and seconded by Councilmember Streeter to **amend** condition 4(l) to read:

The installation and maintenance of streetlights along Chesterfield Airport Road shall be as directed by the City of Chesterfield Department of ~~Public Works~~ **Planning**. **Streetlights shall be shown on the Site Development Plan and must be compatible with existing historic area.**

The motion was **approved by a vote of 4 to 0**.

Staff was asked to check with the County on the material that can be used for the sidewalk (is brick allowed?).

The motion to approve P.Z. 23 & 24-1999, as amended, was approved by a vote of 4 to 0.

**Note: Two bills relative to this matter will be needed for the October 18, 1999, City Council Meeting (one as recommended by the Planning Commission, and one as recommended by the Planning & Zoning Committee).**

**SEE Bill # (as recommended by the Planning Commission)**

**SEE Bill # (as recommended by the Planning & Zoning Committee)**

**VII. Highway Forty Trust Fund;** Proposal to establish trust fund for road improvements on North Outer Forty – Referral from City Council

The Chair recognized Mr. Solomon.

Mr. Solomon addressed the Committee on this item, referencing a letter he sent on the topic.

There was general discussion between the Committee and Mr. Solomon.

Mayor Greenwood arrived at 6:25 p.m.

A motion was made by Councilmember Casey and seconded by Councilmember Streeter to **hold** this item and have the City Attorney reply to the letter from Mr. Solomon

The motion was approved by a vote of 4 to 0.

**IX. Comprehensive Plan for the Conway Road Area – Councilmember Brown**

Planning Director Teresa Price advised the Committee that the Comprehensive Plan Committee of the Planning Commission would be revisiting the Conway Road area to determine if they want to make any changes.

**X. Transportation Study – Councilmember Brown**

There was general discussion by the Committee, including: how roads were selected for inclusion; adding the Lehman Road wedge area to the list; and, timing.

**VIII. City Council Approval Process;** Request has been made for Planning & Zoning Committee to review the policy of City Council holding both readings of Planning items on the same evening.

Mayor Greenwood advised the Committee that this matter came up in 1992. Prior to that time, all bills were read twice. At that time, the policy was changed to require two (2) separate readings except for Zoning legislation.

There was general discussion between the Committee and the Mayor, including: delaying projects; residents having to come to two (2) meetings; sending mixed signals to residents; giving the appearance

of rushing something through; explaining the process clearly at Council meetings; shortening the time at the beginning of the rezoning process; putting an article on the process in the Citizen Newsletter; and, ability of Councilmembers to hold legislation.

The Committee requested that staff put a big sign in the back of the Chambers advising people that they have to fill out a speaker's card if they want to speak. Planning Director Teresa Price will forward this information to the City Administrator.

The Chair acknowledged a young man in the audience that is working on his merit badge, from Troop 492, Bellerive School.

#### **VI. P.Z. 04-1999 City of Chesterfield – Senior Residence District**

Planning Director Teresa Price advised the Committee that Friendship Village needs resolution of the SR District for their long term needs, but not for their short term needs. She stated that the SR District was written like the PC District - bring in the proposal and it will be evaluated. There are no standard or minimum setbacks, heights, or density. This could be a district, like a PC, or a special procedure, like a PEU. She advised the Committee that major revisions to the SR District would have to go back to the Planning Commission.

There was general discussion by the Committee, including: deed restriction for Sunrise; CUP Procedure (no trust fund collection).

A motion to send this back to staff to prepare as a Special Procedure was made by Chair Brown, seconded by Councilmember Durrell and **approved by a vote of 4 to 0.**

#### **OTHER:**

Councilmember Durrell handed out example violation letters to the Committee.

A motion to forward these example violation letters to the City Attorney and bring comments back to the Committee was made by Councilmember Streeter, seconded by Chair Brown, and **approved by a vote of 4 to 0.**

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, October 21, 1999.

**The meeting adjourned at 7:18 p.m.**

TJP/LPGM/lpgm

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