

# MEMORANDUM

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TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: October 20, 2000

SUBJECT: Planning and Zoning Committee Meeting Summary from October 19, 2000

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, October 19, 2000, in the City Council Conference Room. In attendance were: Chair Dan Hurt (Ward III); Councilmember Jane Durrell (Ward I); Councilmember John Nations (Ward II) and Councilmember Mary Brown (Ward IV). Also in attendance were: Planning Commission Vice Chair David Banks; Teresa Price, Director of Planning; Matt Brandmeyer, Project Planner; Mike Hurlbert, Project Planner; Paul DeLuca, Project Planner; John Wagner, Project Planner; and Kathy Lone, Executive Secretary/Planning Assistant.

\*To be discussed at 11/6/2000 City Council Meeting.

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

I. Approval of the Planning and Zoning Committee Meeting Summary of September 21, 2000.

Councilmember Nations made a motion to approve the Meeting Summary of September 21, 2000. The motion was seconded by Councilmember Durrell and passes by a vote of 3 to 0. (Chair Hurt was absent from the meeting at this time.)

Chair Hurt arrived at the meeting at 5:35 p.m.

\*II. **P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates)**; a request for a rezoning from "NU" Non-Urban District and "FPNU" Flood Plain Non Urban District to "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District for a 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

AND

\*III. **P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates)**; a request for a Planned Environment Unit (PEU) Procedure in the "R-2" 15,000 square foot Residence District and "FPR-2" Flood Plain 15,000 square foot Residence District for the same 37.4 acre tract of land located on the west side of Creve Coeur Mill Road, north of Olive Boulevard. (Locator Number 16Q64-0241).

Director of Planning Teresa Price gave an overview of **P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates).**

Councilmember Nations made a motion to amend Attachment A to incorporate the verbiage from Mr. Mike Geisel, Director of Public Works, concerning the pier configuration being incorporated into the hydraulic model. The motion was seconded by Councilmember Brown and passes by a vote of 4 to 0.

Mr. Ed Levinson, petitioner, agreed with the verbiage.

Ms. Price stated that the legal description has been received and reviewed and new legislation has been provided.

General discussion followed concerning the easements.

Councilmember Nations made an amendment to the motion to include language of City Attorney Doug Beach's letter of October 2, 2000 concerning the reservation/dedication of the possible future extension of Missouri Route 141. The amendment to the motion was seconded by Councilmember Brown and passes by a voice vote of 4 to 0.

Ms. Price clarified that the Committee partially amended these petitions at their last meeting which included requiring disclosure statements about the extension of Missouri Route 141 being provided to the property owner and the removal of the Walsh property from the dedication. Therefore, four (4) amendments will be forwarded to City Council.

Councilmember Nations made a motion to approve **P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates and P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates,** as amended. The amended motion was seconded by Councilmember Durrell and passes by a vote of 4 to 0.

**P.Z. 09-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates**

**Note: One bill relative to this matter will be needed for the November 6, 2000 City Council Meeting.**

**SEE Bill #**

**P.Z. 10-2000 Levinson Building & Realty, Inc., Larry & Terrie Walsh, Alexandria Properties Joint Venture (Mill Valley Estates**

**Note: Two bills relative to this matter will be needed for the November 6, 2000 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)**

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- \*IV. P.Z. 3-2000 Highway 40 Park, Lot C:** A request for a change in zoning from a "FPNU" Flood Plain-Non-Urban-District to a "PC" Planned Commercial District for a 6.8 acre tract of land located on Long Road, south of Highway 40 and north of Chesterfield Airport Road.

Project Planner Michael Hurlbert gave an overview of this petition. Mr. Hurlbert stated that the Planning Commission approved this petition 9 to 0 with the condition that the permitted use '(m) Fishing tackle and bait shops. Open storage and displays are prohibited.' be deleted and language be added to page 5, Attachment A, V. SPECIFIC CRITERIA, d. Access, 2. **'One access shall be allowed off Caprice Drive, a private easement, and 'or' as directed by the City of Chesterfield Department of Public Works. (Words in bold added.)**

Mr. Kent Kehr, petitioner, stated that he is in agreement with the above conditions. Mr. Kehr also stated that there is the possibility of hotel at this site.

General discussion followed concerning the access and signage.

Chair Hurt stated that he wants to see more green space and less asphalt in the Valley.

Director of Planning Teresa Price stated that the Architectural Review Board (ARB) would be reviewing the Site Development Plan for this project. Ms. Price also stated that she has met with the possible developer and discussed that this is a very visible area and there will be concern with the architecture.

Councilmember Nations made a motion to approve **P.Z. 03-2000 Highway Forty Park, Lot C.**

Councilmember Nations made an amendment to the motion to request power of review for the entire Site Development Plan by the Planning and Zoning Committee with advisory to the City Council. The motion was seconded by Chair Hurt and **passes by a voice vote of 4 to 0.**

Councilmember Nations made a motion to approve **P.Z. 03-2000 Highway Forty Park, Lot C,** as amended. The amended motion was seconded by Councilmember Durrell and **passes by a voice vote of 4 to 0.**

**Note: Two bills relative to this matter will be needed for the November 6, 2000 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)**

- \*V. P.Z. 18-2000 Terra Investments, L.L.C.;** a request for rezoning from "M-3" Planned Industrial District to "PI" Planned Industrial District for a 24.997 acre tract of land located

on the north side of Chesterfield Airport Road east of Spirit Drive (Locator Numbers: 17V62-0049, 17V62-0050, 17V62-0072).

Project Planner Matt Brandmeyer gave an overview of this petition. Mr. Brandmeyer stated that this petition was approved by the Planning Commission by a vote 8 to 0 with one (1) abstention.

General discussion followed concerning the green space and the permitted use of fast food.

Mr. Michael Doster, attorney for the petitioner, stated that fast food is an appropriate use for this site. Mr. Doster stated that he would have to discuss with his client the possibility of limiting the use to the portion of the site south of Lipton.

General discussion followed concerning the setbacks and road improvements.

Chair Hurt made an amendment to the motion to allow the following uses north of Lipton: office (including medical and dental), manufacture, hotel, and financial institutions and their ancillary uses. The amendment to the motion was seconded by Councilmember Durrell and **passes by a voice vote of 4 to 0.**

Councilmember Brown made a motion to approve **P.Z. 18-2000 Terra Investments, LLC**, as amended. The amended motion was seconded by Chair Hurt and **passes by a voice vote of 4 to 0.**

Chair Hurt asked Mr. Doster to relay to Staff the thoughts of the petitioner a couple of days before the City Council meeting on November 6, 2000.

**Note: Two bills relative to this matter will be needed for the November 6, 2000 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)**

**\*VI. P.Z. 20-2000 Greater Missouri Builders, LTD, dba Greater Missouri Builders: A request for rezoning from "MXD" Mixed Use District to "R-4" 7,500 square foot Residence District for a 14.53 acre tract of land located on the southeast side of Olive Blvd, Southwest of Appalachian Trail. (Locator Number 18S 64 0744)**

**AND**

**\*VII. P.Z. 21-2000 Greater Missouri Builders, LTD dba Greater Missouri Builders: A request for a Planned Environment Unit (PEU) in the "R-4" 7,500 square foot Residence District for the same 14.53 acre tract of land located on the east side of Olive Blvd, southwest of Appalachian Trail. (Locator Number 18S 64 0744)**

**\*VIII. P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders; A**

request for a change of zoning from an "MXD" Mixed Use Development District to an "R-3" 10,000 square foot Residence District for 13.3 acres of land located southeast of Olive Boulevard, southwest of Appalachian Trail, and northwest and southeast of Hitchcock Road. (Locator Numbers 18R410843, 18R410771 and 18S640744).

**AND**

**\*IX. P.Z. 23-2000 Laurus Real Estate Partnership and Barnes-Jewish Hospital**; A request for a Conditional Use Permit in an "R-3" 10,000 square foot Residence District for 10.06 acres of land located southeast of Olive Boulevard, southwest of Appalachian Trail. (Locator Number 18R410843).

Director of Planning Price gave an overview of **P.Z. 20-2000 Greater Missouri Builders, LTD, dba Greater Missouri Builders, P.Z. 21-2000 Greater Missouri Builders, LTD dba Greater Missouri Builders, P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders** and **P.Z. 23-2000 Laurus Real Estate Partnership and Barnes-Jewish Hospital**.

Project Planner Paul DeLuca stated that **P.Z. 20-2000 Greater Missouri Builders, LTD, dba Greater Missouri Builders, P.Z. 21-2000 Greater Missouri Builders, LTD dba Greater Missouri Builders** were passed by the Planning Commission by a vote of 5 to 4.

Mr. David Banks, Vice Chair of the Planning Commission, related the Commission's concerns with density.

Mr. DeLuca stated that the streets would be private but built to public standards.

General discussion followed concerning what is being proposed now and what originally was approved.

Mr. Harvey Present, trustee of Shenandoah Subdivision, stated that residents wanted clarification that the homes will be single story and that access to Hitchcock Road will be for emergency access only.

Mr. Stephen Kling, attorney representing the residents of the Conway Glen Subdivision, expressed concern with the water run-off.

Mr. Roger Cox, petitioner, stated that the homes would be single story with the option for dormers. The ridge height (rooftop) would not change.

Ms. Price stated that Attachment A allows two-story residences but the height cannot exceed 28 feet.

Project Planner John Wagner stated that **P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders** and **P.Z. 23-2000 Laurus Real Estate Partnership and Barnes-Jewish Hospital** were passed by the Planning Commission by a vote of 9 to 0. **P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders** was approved with three (3)

conditions and **P.Z. 23-2000 Laurus Real Estate Partnership and Barnes-Jewish Hospital** was approved with no conditions.

Mr. Rhein Dabler and Mr. Steve Quigley, engineers for Clayton Engineering, explained the possibility of correcting the water run-off problem.

General discussion followed concerning access, storm water, common ground, easements and berms.

Mr. Kling stated that there are three (3) conditions of the residents:

1. Specify the size of Lot 1;
2. Use verbiage from the September 25, 2000 Planning Commission minutes concerning storm water in the ordinance;
3. Possible Deed Restriction which would prohibit building on lot.

Councilmember John Nations made an amendment to the motion to accept City Attorney Doug Beach's language concerning the watershed to the southwest property line for **P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders**. The amendment to the motion was seconded by Chair Hurt and **passes by a voice vote of 4 to 0.**

Chair Hurt asked Councilmember Nations to confer with City Attorney Beach before the next City Council meeting regarding wording for a deed restriction or easement.

General discussion following concerning the density.

Councilmember Nations made a motion to approve **P.Z. 20-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders** and **P.Z. 21-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders**, as amended, with the understanding that Council may change the description of the building height. The amended motion was seconded by Chair Hurt and **passes by a voice vote of 4 to 0.**

**P.Z. 20-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders**

**Note: One bill relative to this matter will be needed for the November 6, 2000 City Council Meeting.  
SEE Bill #**

**P.Z. 21-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders**

**Note: One bill relative to this matter will be needed for the November 6, 2000 City Council Meeting.  
SEE Bill #**

Councilmember Nations stated that in **P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders**, an Attachment A is referenced but an Attachment A is not attached.

Ms. Price stated that the normal Attachment A wording would be added to the ordinance.

Councilmember Nations made a motion to approve **P.Z. 22-2000 Greater Midwest Builders, LTD, dba Greater Missouri Builders** with the amendment to insert in Attachment A that there will be an additional paragraph to Attachment A which will state that the lot southeast of Hitchcock Road will be encumbered by either a deed restriction, an easement, or other encumbrance to prohibit the construction of any improvements or structures other than a single-family detached dwelling on the lot southeast of Hitchcock Road. The motion was seconded by Chair Hurt and **passes by a voice vote of 4 to 0.**

**Note: Two bills relative to this matter will be needed for the November 6, 2000 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)**

The motion was accepted by Mr. Roger Cox, the petitioner, since this is a straight zoning.

Councilmember Nations made a motion to receive and file **P.Z. 23-2000 Laurus Real Estate Partnership and Barnes-Jewish Hospital**. The motion was seconded by Councilmember Brown and **passes by a voice vote of 4 to 0.**

**Note: Motion to Receive and File**

**X. Development Between I-40/64 and Chesterfield Airport Road**

Councilmember Brown stated that this item could be discussed at the next Planning and Zoning Committee meeting since budget is not due until November 20, 2000.

Councilmember Brown left the meeting at 7:35 p.m.

**XI. Tree Removal Within Utility Easements**

There was general discussion concerning the responses received from the utility companies and possible solutions from the City.

Chair Hurt made a motion to direct Staff to construct a resolution to forward to the utility companies expressing the opinions of the City and forward to City Council at their next meeting. The motion was seconded by Councilmember Durrell and **passes by a voice vote of 3 to 0.**

Mr. Alan Politte expressed appreciation to the City for their assistance.

**XII. Pending Projects/Departmental Update**

Ms. Price stated that the traffic consultants would be ready to present the T-model program and present their findings in about a month.

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Chair Hurt stated that the traffic report would be presented at a special Planning and Zoning Committee meeting at which the Planning Commission and remaining Council members would be invited.

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Ms. Price stated that she would select a day and let the Committee know.

Chair Hurt made a motion to adjourn the meeting. The motion was seconded by Councilmember Nations **and passes by a voice vote of 3 to 0.**

The meeting adjourned at 7:50 p.m.

TJP/kl

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