

MEMORANDUM

TO: Mike Geisel, City Administrator

FROM: Justin Wyse, Director of Planning **JW**SUBJECT: Planning & Public Works Committee Meeting Summary
Thursday, May 18, 2023

A meeting of the Planning and Public Works Committee of the Chesterfield City Council was held on Thursday, May 18, 2023 in Conference Room 101.

In attendance were: **Chair Merrell Hansen** (Ward IV); **Councilmember Mary Monachella** (Ward I), **Councilmember Mary Ann Mastorakos** (Ward II), and **Councilmember Dan Hurt** (Ward III),

Also in attendance were: Councilmember Aaron Wahl (Ward II); Justin Wyse, Director of Planning; Petree Powell, Assistant City Planner; Shilpi Bharti, Planner; Alyssa Ahner, Planner; Isaak Simmers, Planner; and Kathy Juergens, Recording Secretary.

The meeting was called to order at 5:30 p.m.

I. APPROVAL OF MEETING SUMMARY**A. Approval of the May 4, 2023 Committee Meeting Summary**

Councilmember Mastorakos made a motion to approve the Meeting Summary of May 4, 2023. The motion was seconded by Councilmember Monachella and **passed by a voice vote of 4-0.**

II. UNFINISHED BUSINESS - None**III. NEW BUSINESS**

With the Committee's consent, Item III.B. was discussed first.

- B. P.Z. 07-2023 Ballwin Acres, Lot 15 (William G. Vellios):** A request to rezone an existing "NU" Non-Urban District to an "R3" Residence District for a 3.9-acre tract of land located east of Kehrs Mill Rd, south of Wendimill Dr, west of Meadowbrook Country Club Estates, and north of Coventry Woods Ct (21S410088). (Ward 3)

STAFF PRESENTATION

Alyssa Ahner, Planner, presented the request to rezone a 3.9-acre tract of land from "NU" Non-Urban to "R3" Residence District to accommodate single-family residential homes.

The current zoning of the subject site is a zoning classification left over from St. Louis County prior to incorporation by the City. Per the Non-Urban regulations, no new lots shall be created of less than three acres in area. The primary use of the four-acre site is one single-family

dwelling and it cannot be subdivided further to accommodate additional dwellings without being rezoned.

Although the rezoning will allow for other permitted uses, the applicant plans to keep the site residential. There are no specific plans for future development, however, the applicant is requesting the rezoning so he can make plans for the site in the future. A preliminary development plan is not required as "R3" is a straight or conventional zoning district.

Although the current access is off of Kehrs Mills Road, future access would not be allowed from Kehrs Mill Road. Access would be taken from Terrimill Terrace.

A Public Hearing was held on May 8, 2023 and there were no issues raised by the Planning Commission. The Planning Commission then approved the petition by a vote 8-0.

DISCUSSION

At the request of Chair Hansen, Ms. Ahner stated that most of the questions generated at the Public Hearing from the surrounding property owners were pertinent to the development process down the line. Those concerns are outlined below:

- Tree removal – The City requires 30% of existing tree canopy to be preserved unless a mitigation plan is submitted. This would be addressed during the development process.
- Common ground disruption – The City requires a 30-foot-wide buffer, which would be addressed during the development process.
- Stormwater runoff – This would be considered under the engineering review process.
- Construction concerns – The City has regulations regarding working hours and construction parking.
- Structure on site – It was determined that the structure is not on the historic register.
- Access from Kehrs Mill Road – Access would be determined during the development process.

Chair Hurt expressed concern about the existing retention basin but acknowledged that this also would be addressed during the development process.

Councilmember Mastorakos made a motion to forward P.Z. 07-2023 Ballwin Acres, Lot 15 (William G. Vellios) to City Council with a recommendation to approve. The motion was seconded by Councilmember Monachella and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the June 5, 2023 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 07-2023 Ballwin Acres, Lot 15 (William G. Vellios).]

- A. P.Z. 02-2023 City of Chesterfield (Unified Development Code – Articles 2 & 4): An ordinance amending Article 2 and Article 4 of the Unified Development Code to do modification in Improvements Installed or Guaranteed and Stormwater Standards.**

STAFF PRESENTATION

Shilpi Bharti, Planner, stated that the request is to amend Articles 2 and 4 of the Unified Development Code (UDC).

Article 2 (Improvements Installed or Guaranteed)

The request is to modify point 3 which would remove escrow requirements for items that are escrowed by Metropolitan Sewer District (MSD) and to change the approval process for replacement escrow and guarantees.

Article 4 (Stormwater Standards)

The request is to update the section for Stormwater Standards based on the recently signed Memorandum of Understanding (MOU) between the City and the Monarch-Chesterfield Levee District.

A Public Hearing was on May 8, 2023 for this petition and there were no issues raised. The Planning Commission then approved the petition by a vote of 8-0 with one amendment. The amendment was to complete the language from #2 of Section 405.04.120 Stormwater Standards that was in the Attachment A.

DISCUSSION

The Committee discussed the advantages and disadvantages of the proposed changes. Mr. Wyse explained that the City retains 5% of all construction items until the completion of all improvements. Metropolitan Sewer District (MSD) water quality elements are not completed until after construction of all homes within a subdivision. Therefore, this has caused a delay in completion of all subdivision improvements as the City will not accept the streets until everything has been completed. Thus, the HOA's are still responsible for plowing of the streets until they are accepted. Mr. Wyse also explained the escrow release schedule.

Councilmember Hurt made a motion to forward P.Z. 02-2023 City of Chesterfield (Unified Development Code – Articles 2 & 4) to City Council with a recommendation to approve. The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the June 5, 2023 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 02-2023 City of Chesterfield (Unified Development Code – Articles 2&4).]

C. P.Z. 09-2023 City of Chesterfield (UDC – Article 4): An amendment to Article 4 of the Unified Development Code for modifications to the City's zoning districts and locations for where recreational uses are appropriate.

STAFF PRESENTATION

Alyssa Ahner, Planner, stated that the City's Unified Development Code (UDC) contains several recreational uses and zoning districts in which the uses are permitted. Many of the recreational uses that were previously allowed in Planned Industrial Districts are no longer permitted. This has resulted in inconsistencies between the uses that were allowed in "older" Planned Industrial Districts and the uses that are allowed in "newer" Planned Industrial Districts. Therefore, Staff is proposing modifications to be considered.

Ms. Ahner presented a PowerPoint chart depicting permitted recreational uses and their current zoning districts and the modified recreational uses in their proposed zoning districts. The proposed changes are mainly additions to the "PI" District (Planned Industrial) and the "LI" District

(Light Industrial). Of note, the “LI” District requires that the principal use be conducted within a fully enclosed building. Additionally, businesses shall only be open to the public between the hours of 7 a.m. and 8 p.m.

A Public Hearing was held on May 8, 2023 for this petition. The Planning Commission recommended approval, as amended, by a vote of 8-0. The amendment included adding the use “Athletic Courts & Fields” into the “PC” Planned Commercial District.

DISCUSSION

The Committee discussed the implications of the proposed recreational modifications, how the uses would fit into the “LI” and “PI” Districts, the definition of “principal use” as it relates to the “LI” District, and how the proposed changes would affect the current recreational facilities in the Valley. The purpose of the “LI” District was discussed extensively and whether it should be removed. Justin Wyse, Director of Planning, pointed out that the City has 50 zoning districts and 350 planned districts. A separate discussion should take place to re-evaluate the zoning districts and to determine how they relate to the comprehensive plan to see if changes must be made.

Councilmember Hurt made a motion to forward P.Z. 09-2023 City of Chesterfield (UDC – Article 4) to City Council with a recommendation to approve. The motion was seconded by Councilmember Mastorakos and **passed by a voice vote of 4-0.**

Note: One Bill, as recommended by the Planning Commission, will be needed for the June 5, 2023 City Council Meeting. See Bill #

[Please see the attached report prepared by Justin Wyse, Director of Planning, for additional information on P.Z. 09-2023 City of Chesterfield (UDC – Article 4).]

D. Property Maintenance Code: Discussion regarding the International Property Maintenance Code and Section 500.140 Exterior Standards.

STAFF PRESENTATION

Justin Wyse, Director of Planning, stated that Staff has been working with Code Enforcement and the City’s legal counsel to increase code enforcement activity to resolve property maintenance issues, i.e., problem properties. Several long-standing problem properties have been brought into compliance through this process, however, Staff has uncovered inconsistencies in the City’s adopted codes that need to be resolved.

Mr. Wyse explained that the City has adopted two property maintenance codes with different powers and procedures - the International Property Maintenance Code and the City’s Exterior Maintenance Standards.

The International Property Maintenance Code is intended to establish minimum standards for basic equipment, light, ventilation, heating, sanitation and fire safety. The City contracts with St. Louis County for building permitting services and we have adopted the same building code. The Exterior Maintenance Standards was originally adopted by the City in 2003 and these standards are directed more towards to the exterior maintenance of properties.

This item is being forwarded to the Planning & Public Works Committee for direction. Either Section 500.007 Property Maintenance Code or Section 500.140 Exterior Maintenance Standards should be repealed to address this conflict.

DISCUSSION

Councilmember Hurt prefaced the discussion by stating that historically, Council has felt that it is not the responsibility of the City to regulate the interior of the home. That is why the City adopted the Exterior Maintenance Standards.

Mr. Wyse indicated that the City is not currently utilizing the International Property Maintenance Code and that the City's Code Enforcement Officers are currently using the Exterior Maintenance Standards. The City contracts with St. Louis County to provide interior inspections.

There was extensive discussion regarding the differences between the two codes and the consequences of eliminating the International Property Maintenance Code.

Mr. Wyse recommended that Staff review the City's Exterior Maintenance Standards and the International Property Maintenance Code to see if there are any gaps, concentrating on the exterior and not interior of the house, that should be addressed. If there are, Staff will bring back recommendations for discussion.

The Committee directed Staff to review the International Property Maintenance Code and the City's Exterior Maintenance Standards to determine if updates can be made to the City's Exterior Maintenance Standards and repeal the International Property Maintenance Code.

IV. **OTHER** – None.

V. **ADJOURNMENT**

The meeting adjourned at 7:16 p.m.