

## **UNAPPROVED CHESTERFIELD NEWSLETTER 44**



**September 17, 2013**

**By John Hoffmann**

**CORRECTION ON TERM LIFE INSURANCE:** In the last newsletter we sent to people on our subscription list we had information from the Finance and Administration Committee meeting that included how council members along with the judge and prosecutor will continue to receive free term life health coverage. We wrote that Councilman Dan Hurt has been refusing the coverage for some time. It turns out that councilpersons and former mayors Nancy Greenwood and Barry Flachsbart also don't accept the term insurance.

It is interesting that Chesterfield deems a viable enough threat of a crazy person shooting councilpersons and court personnel to provide life insurance, but not provide additional security of metal detectors at the entrance to the chambers.

### **JEAN WHITNEY'S CITY COUNCIL REPORT**

Due to scheduling conflicts with Town and Country Aldermanic plus commission meetings and Chesterfield Council and committee meetings, former Patch.com editor and west coast news reporter Jean Whitney has agreed to cover some Chesterfield meetings for the newsletter. Here is her report on the recent Planning and Public Works meeting.

### **Chesterfield PLANNING AND PUBLIC WORKS MEETING**

**September 12, 2013**

**News AND Comment:**



Jean Whitney

# Unapproved Chesterfield Newsletter

## City Council meeting

By Jean Whitney

**Re-zoning for Kehrs Mill Road sub-division moves ahead to City Council vote, despite protest petition by neighbors; Wildwood complains too**

***First City outlaws blue-collar residents' commercial trucks, and now City wants to ruin it for the wealthiest by shoehorning in more houses on smaller lots in their backyards. Geez!***

Planning and Public Works Committee includes Councilpersons Connie Fults, Dan Hurt, Barry Flachsbart, Derek Grier

Despite articulate protests from neighbors, Chesterfield's Planning and Public Works Committee voted 3-1 Thursday night to approve a zoning change for a controversial subdivision, Arbors at Kehrs Mill.

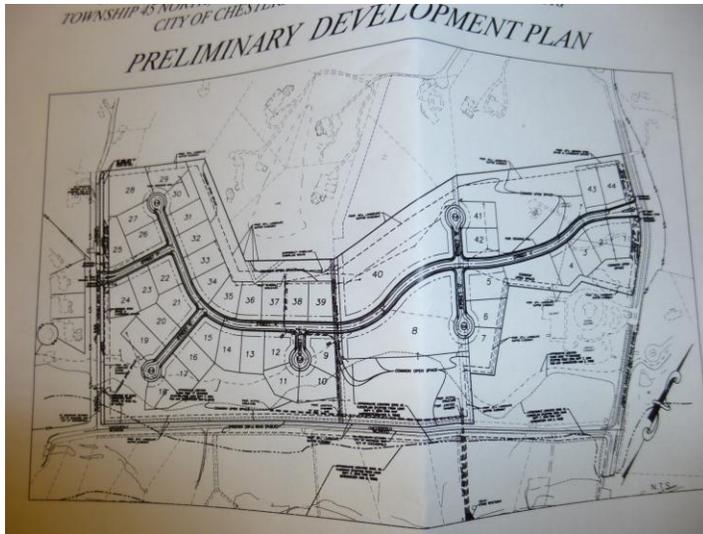
The thumbs-up moves the plan to the City Council where a 2/3 majority (of eight total) would be required in order to pass. Typically, it's called a supermajority.

Councilman Dan Hurt, Ward 3, voted against approval, saying he wanted to examine a topography map of the 58-acre parcel at Kehrs Mill and Strecker Roads. The Planning and Public Works Committee is a 4-member subset of the full 8-member City Council.

Local developers McBride & Son Homes seek two zoning changes that would allow 44 houses built onto the 58 acres.

The parcel is owned by the Roman Catholic Archdiocese, according to a McBride & Son spokeswoman, and the sale to McBride is likely contingent on approval of the zoning changes by Chesterfield. No selling price for the parcel was immediately made known.

The 58 acres borders on multiple-acre home lots to the north, some to the south, and also across Kehrs Mill Road. Other existing home lots bordering the odd-shaped parcel are said to include half-acre sizes.



The protest petition on the subdivision proposal was brought by 10 members of a 30-member group of existing homeowners in July who object to the proposed smaller lot sizes that would come about under the re-zoning.

"I haven't found anybody in favor of this zoning request," testified John Gazzoli, who said he was a nearby resident. "This will create a substantial decrease in our property values. It's totally incompatible (with the area.) It would be a disaster."

Gazzoli said there are existing homeowners surrounding the parcel with 18 acres, 10 acres, and three acres, for example.

The subdivision developer has proposed a minimum of 22,000 square foot lots, which is just about one-half-acre.

The Archdiocese property is directly behind and surrounds The Goddard School on Kehrs Mill Road.

The City Council already changed zoning for the area in 2006 from 3-acre lot minimum to one acre.



John Gazzoli

Gazzoli said he and his neighbors objected to that 2006 zoning change but were apparently ignored. He said now they "could live with" the one acre minimum rather than this latest proposed reduction in lot size.

Councilwoman Connie Fults told Gazzoli the city "fought" to reduce the number of houses to be built there, from 80 to 44.

Fults represents Ward 4 where the controversial project is located.



Councilwoman Connie Fults listens to a constituent who is unhappy with the planned

Fults is known to be outspoken and defensive about her Roman Catholic faith. It was not known whether the Archdiocese ownership of the 58-acres played a role in Fults' decision.

(Fults accused this reporter/editor in 2011 of being "racist" after publishing in the Chesterfield Patch an opinion column by a Roman Catholic who questioned her own faith relative to priest abuse cover-ups. The opinion piece by Julie Kuenneke titled "Leaving Catholicism in the name of Parenthood" received some of the highest number of hits of all Patch pieces posted across the country in 2011 after it was linked on numerous celebrity websites.)

"Your constituents don't want this," Gazzoli insisted.

Gazzoli said he and neighbors had been talking with a "high-end home builder" interested in 40 acres of the 58 acres.

When it was time to vote, Fults seconded both zoning change measures. Councilman Derek Grier, Ward 2—no where near the controversial parcel—made both motions to approve the zoning changes. No one else would second the motions, until Fults did. During the protest testimony, another nearby homeowner, Dan Hogan, said his swimming pool bordered the 58-acres.

"Why take a beautiful area like that, and ruin it?" Hogan testified. He described smaller lots and houses on the parcel as "low-rent."

The majority of the protesters said they had not known about the rezoning request by developers in May, when it first came about. As a result, they turned to a state remedy of the protest petition.

Homeowner Terry Brennan, who said he represented the adjacent Wildwood area named Caulks Creek, said none of that group wanted this zoning change in Chesterfield.

He said most of the houses in that area were "custom" homes built prior to any development out that way. Brennan also raised concerns about additional traffic on Kehrs Mill, and potential storm water runoff damage to their properties.

Other 3-acre homeowners near Church Road on the western side of the 58 acres, said they did not want an entrance to the proposed subdivision on Church, saying it would decrease property values.

Fults said the zoning changes would save trees from being cut down on the 58 acres. One of the zoning changes is called a "planned unit development" and would limit tree removal and grading of dirt.

After 30 minutes, Fults ended the public hearing.

Spokespersons for developer McBride mounted a defense of the project before the city commission.

Despite residents remaining in the audience, McBride ignored them, and did not show any number of parcel illustrations and maps to residents.

McBride spoke of buffers and open space, pointing it out to council members on big diagrams, with backs to the audience.

Homeowners said outside the protest hearing that they only learned about the protest hearing the day before. They intended to gather more residents to speak before the Council vote on the project.



This is an outstanding turnout for a Planning and Public Works Committee than rarely draws people neighboring a project. IN this case many in the crowd only learned of the meeting the day before.

According to city documents, the Arbors proposal shows over 30 percent open space for the development. There are also water retention areas along Strecker Road. McBride said the builders were "so successful" with a similar development named Arbors at Wild Horse Creek that they sought to duplicate that on the Kehrs Mill parcel. A project manager said houses sold for \$600,000 and up through \$1 million.

The next city council meeting is Monday, Sept. 23, beginning at 6pm. It was unclear at this time whether the Arbors project would be taken up for a vote at the upcoming meeting.

Here is the official wording for the two zoning changes to be voted on:

A request for a zoning map amendment from "E-2" Estate Residence District (two acre) and "LLR" Large Lot Residential District to "E-1" Estate District (one acre) for 41.082 acres located north of the intersection of Church Rd. and Strecker Rd. (19U420248).

A request for a zoning map amendment from "E-1" Estate District (one acre) to "PUD" Planned Unit Development for 58.149 acres located north of the intersection of Church Rd. and Strecker Rd. (19U420248). [30]

**LAI D OFF POLICE OFFICER'S LAW SUIT SETTLED:** On September 4 the City of Chesterfield and former police officer William Whiteley settled Whiteley's lawsuit out of court.

It was unusual timing to say the least. Whiteley was on forced medical leave/light duty in 2010 when the city decided to "right size" the police department and eliminated seven positions, including Whiteley's. Whiteley sued claiming since he was on injury leave he could come back and take over a regular police officer's position that had not been eliminated.

In 2012 as the lawsuit lingered the department created two new positions for police officers. In 2013 two officers died suddenly of heart attacks, a third quit and a fourth was fired. The same week that Whiteley's suit was settled out of court the Finance and Administration Commission voted to recommend Chief Ray Johnson be allowed to create and hire for three new police officer positions. The four vacancies in 2013 had just been filled. Whiteley getting his job back was not part of the settlement.

**FREE FLU SHOTS:** Missouri Baptist Hospital in connection with the City of Town and County are offering FREE FLU SHOTS in October. The subtle inference is that the free flu shots are for the rich folks in Town and Country. But when we called Mo Baptist on giving free shots to rich people and not poor people a couple of years ago, the hospital's response was the anyone can sign up for the shots. (They are just publicized in the Town and Country newsletter.)

The shots will be given October 14 between 10am and 1pm at the Longview Farmhouse at the city's Longview Park on Clayton Road near Mason Road. I already booked my shots there and the first 1-hour and 45-minutes of slots were already filled without the event being publicized.



The second offering for FREE FLUE SHOTS will be on Friday October 18 at the Town and Country City Hall from 4pm to 7pm. CALL 314-996-5433 to make an appointment.

**THE WINNER IS...COSTCO:** It was on September 4 that I spied a Christmas display at the Costco Store in Manchester. Besides hobby and arts and crafts stores this was the first retail Christmas display I have seen for 2013. I sarcastically congratulated the women checking my receipt to make sure I paid for my shrimp (BTW Costco maybe has the best cold shrimp of any store in the area...go figure) for Costco being the first to have up Christmas stuff, just two days after Labor Day. She defiantly took the company line and proclaimed, "And we will be the first store to sell all of our Christmas items too!"



## **CHESTERFIELD WELCOMES THE PUBLIC TO ANOTHER OPEN MEETING:**



Eight minutes before the Finance and Administration Committee meeting being held last week in a room at the top of these steps, this is the welcoming sign the public was met with.

**TOWN AND STYLE MAGAZINE HAS TROUBLE IDENTIFYING ROCK HILL AND RICHMOND HEIGHTS:** I have not been very impressed with Town and Style Magazine Columnist Bill Beggs, Jr. since he lifted one of my columns from patch.com without giving attributing it.

Beggs lifts news stories about West County and even the Central West End from various news sources and then uses them in his column. I dislike this approach since Beggs does not go out and actually sit through any of the meetings he writes about and does not credit the source that do.

His columns have the city logos next to each town he writes about. Almost since his first column I have been amused to see how often Town and Style uses the city logo of Rock Hill next to stories about Richmond Heights.

The towns are quite a bit different. Richmond Heights has a number of wealthy residents living along McKnight and Lay roads. Rock Hill doesn't have any wealthy

residents. Richmond Heights has the trendy Galleria Mall. Rock Hill has the RSI Kitchen and Bath store that sells high end fixtures to rich people who live in Richmond Heights and Ladue. Richmond Heights has St. Mary's Hospital. Rock Hill has a Walgreens. Richmond Heights has the famous Esquire Theater. The Blockbuster and Hollywood Video stores in Rock Hill went out of business two and three years ago. Richmond Heights has its police and fire departments in new state of the art buildings. Rock Hill sold its city hall, police station and fire house to a developer who put a Starbucks in its place, while the city hall, police and fire stations are renting space in old buildings in a small industrial court off Rock Hill Road.

Apparently what fools the people at Town and Style Magazine is that they don't think Rock Hill exists and when they see a logo that features the letters R and H they assume it has to be for Richmond Heights.



The Chesterfield, Clayton, Des Peres, Kirkwood, Ladue and St. Louis logos are next to stories about that community. However as usual, Town and Style has the Rock Hill logo next to a story about Richmond Heights.

## **GOOD ONE-YEAR-OLD DOG LOOKING FOR A GOOD WEST COUNTY**

**HOME:** Below is one-year-old Max. Max is well-behaved, crate trained, invisible fence trained, house broken. He is good with kids and other dogs. He is a mixed breed with an amazingly soft coat. His owners in Town and Country find they are traveling too much and are looking to find this wonderful dog a new home. If you are interested in getting a smart dog which is already trained send me an email and I'll get you in touch.



**OH MY GOD! APPARENTLY PEOPLE WILL PAY ANYTHING FOR HONEY CRISP APPLES:** Actually maybe the dummies at Dierbergs need to change the sign.



Actually the individual apples are \$3.99 a pound. A bag of small apples below the individual apples are \$7.99 per bag...not per apple!

**FORMER CHESTERFIELD WAITER IS BACK STEALING AGAIN:**

**Richard H. Quick, Jr., 33, of Wildwood** a waiter at the Yellowstone Café in the Lamp and Lantern Shopping Center on Woods Mill and Clayton Roads with the extensive arrest record increased a customer's bill on July 25 when he failed to return a customer's credit card and then went on a spending spree.

Town and Country Police charged Quick with felony Theft of a Credit Card. He was arrested on August 8 and then released pending issuance of a warrant, which was issued on September 9. He was arrested on the warrant on September 13.

This isn't Quick's first time to steal someone's credit card or be arrested for felony stealing. He was arrested in Ballwin in 2003 for felony theft and later convicted. He was give a probation term, which was revoked and he was sentenced to prison in 2006.

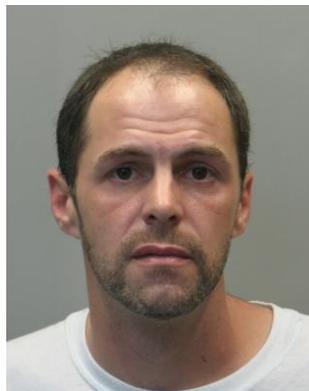
He did not serve a full 3-year term and was released within a year. On January 2, 2006 he was arrested by the Cole County Sheriff's Office in Jefferson City for 3rd Degree Assault. He was found guilty and given probation. The probation term was revoked and he served 10 days in jail in 2008.

He did a Credit Card Theft in Richmond Heights in 2007. He was indicated by a Grand Jury in 2008 and pled guilty. He was sentenced to three years in the Missouri Department of Corrections

He got out early and was arrested again on March 25, 2011 for Stealing Over \$500 in Chesterfield. He was again indicted by a Grand Jury and pled guilty on December 15, 2011 and was sentenced to seven years in the Department of Corrections, but was given probation. He made it less than two years before his probation was revoked after the Town and Country theft case.

In the Chesterfield case Quick was a waiter at Yia Yias. When he received cash payments for dinners he would also make a charge in the same amount on his credit card with Commerce Bank. He would pocket the cash and then when he received his credit card bill he'd report that all the charges were fraudulent. In a confession to investigators he guessed he did this fraud ten of fewer times. Records show he actually did it 17 times stealing \$941.16 from Yia Yias and the credit card company.

02/16/03	Stealing O/\$500	Ballwin	Guilty Plea	01/23/04	3 years MO DOC Probation
12/14/06	Probation Revoked				sent to 3 years MO DOC
01/02/06	3-degree Assault	Cole County Sheriff	Guilty	06/20/06	10 days in Jail
06/18/07	Theft of a Credit Card	Richmond Heights	Guilty Plea	04/17/08	3 Years Mo. DOC
01/29/11	Stealing O/\$500	Chesterfield	Guilty Plea	12/15/11	7 yrs Mo DOC Probation
08/08/13	Theft of a Credit Card	Town and Country	Pending		
09/08/13	Probation Revoked		Pending		



If I can find this guy's record in about five minutes upon checking case.net, you have to wonder why the management at Yellowstone couldn't discover it before they hired him and he stole a customer's credit card.

**MCDONALDS TO BE TORN DOWN AND REBUILT:** The McDonald's facing Woods Mill Road in the Lamp & Lantern Shopping center is marked for a bulldozer with McDonald's then rebuilding a McDonald's with a larger kitchen.

The McDonald's building is owned by the McDonald's and operated by franchisee Colleen Schoendienst. These tear downs and rebuilds happen relatively quickly. The McDonald's in the Old Orchard section of Webster Groves was reopened in less than three months.

The new design still has to go before the Planning and Zoning Commission, later this month. (Sept. 25 7pm) The big concern any follower of McDonald's should have is if the McDonald's is going to be closed in November and December when the McRib is back for a limited time only.



The McDonald's on Woods Mill Road.



The McRib!

**CARTOONS:**



A tribute to Fred and Ginger...dance the Continental and sing Night and Day



