

MEMORANDUM

DATE: September 4, 1996

TO: Michael G. Herring, City Administrator

FROM: Jerry Kelley
Director of Planning

SUBJECT: Minutes of the Planning and Zoning Committee Meeting September 4, 1996.

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:35 p.m., on Wednesday, September 4, 1996, in the City Council Conference Room. In attendance were Councilmember Barry Streeter, Ward II (Chairperson); Councilmember Barry Flachsbart, Ward I; and Councilmember Linda Tilley (Ward IV). Also in attendance were Planning Commission Chairman Michael Casey; City Administrator Mike Herring; and Laura Griggs-McElhanon, Assistant Planning Director.

I. Approval of Planning and Zoning Committee meeting summary of August 8, 1996.

A motion for approval was made by Councilmember Tilley, seconded by Councilmember Streeter and passed by a vote of 2 to 0 to 1, with Councilmember Flachsbart abstaining.

At the request of Councilmember Flachsbart, the Committee changed the date and time of the next meeting to Wednesday, September 18, 1996, 7:30 p.m.

II. P.Z. 20-96 The Courtyard at Kehrs Mill (Hackett Custom Builders, Inc.); "NU" Non-Urban District and "FPNU" Flood Plain Non-Urban District to "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District; east side of Kehrs Mill Road, approximately 500 feet south of Wildhorse Creek Road.

Assistant Director of Planning Griggs-McElhanon summarized the request to rezone from "NU" and "FPNU" to "R-1" and "FPR-1" to allow the development of a single-family subdivision.

Chairman Streeter inquired if the streets are proposed to be public or private.

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Assistant Director of Planning Griggs-McElhanon stated that this is not an issue at this time, since there will be no conditions with this request because it is a straight rezoning, with no PEU. If this is approved, the next step would be for the developer to submit a Preliminary Plat, which would be reviewed and approved by the Planning and Public Works Departments.

Councilmember Flachsbart asked how the City can insure that the streets will be public.

Assistant Director of Planning Griggs-McElhanon reminded the Committee that they could exercise their power of review on the Preliminary Plat.

Councilmember Tilley stated that if the streets will not be public, she will have the Committee exercise their power of review.

A motion for approval was made by Councilmember Flachsbart, noting that if the street is not to be public, the Committee will exercise its power of review. The motion was seconded by Councilmember Tilley and passed by a vote of 3 to 0.

Note: A bill relative to this matter will be needed for the September 16, 1996 City Council meeting.

- III. **P.Z. 31-95 Premier Homes (Cambridge Cove)**; amendment to a Planned Environment Unit (PEU) Procedure in the "R-6A" 4,500 square foot Residence District; southeast corner of Chesterfield Parkway North and Peach Hill Lane.

Assistant Director of Planning Griggs-McElhanon summarized the request to amend the PEU ordinance to reduce the required front yard setback for certain lots. She explained that with this development, the houses will all front on the courtyard streets, not on the main spine street. Therefore, the typical front yard setback from the spine street was not necessary, since there would be no driveway access from that street.

Councilmember Tilley asked if the streets are required to be private in the PEU ordinance.

Assistant Director of Planning Griggs-McElhanon responded that the proposed street design could not be accepted as public, and the PEU ordinance required the streets to be private.

There was general discussion by the Committee on the issue of private streets.

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Councilmember Flachsbart recommended that the developer be required to provide documentation to homeowners that the streets would be private forever. He requested that the PEU ordinance be amended to require this.

Assistant Director of Planning Griggs-McElhanon replied that she would check with City Attorney Beach and Premier Homes on this.

A motion for approval was made by Councilmember Tilley, seconded by Councilmember Streeter and passed by a vote of 3 to 0.

Note: A bill relative to this matter will be needed for the September 16, 1996 City Council meeting.

- IV. P.C. 235-87 Chesterfield Village, Inc.; request for an amendment to "C-8" Planned Commercial District Ordinance Number 13,756 (St. Louis County); east side of Clarkson Road, west of Chesterfield Parkway North, north side of Highway 40.

Assistant Director of Planning Griggs-McElhanon summarized the request to amend the "C-8" ordinance to reduce setbacks. She explained that a comparison was made with the setbacks required for The Atrium and the Hampton Inn. She stated that in addition, it is recommended that the ordinance be updated to correctly refer to the City of Chesterfield, add a requirement for a Landscape Maintenance Bond, and update the Trust Fund wording per St. Louis County.

There was general discussion of the setbacks in the area of the requested amendment.

Merl Wilson, Sachs Properties, clarified the setback amendment requested.

The Committee stated that Sachs Properties should work with staff on this request. They agreed that 200 feet was too much, but 20 feet was not enough.

Councilmember Flachsbart made a motion for approval of the request, except for reduction of the 200' setback requirement. Staff will forward information for consideration by City Council September 16. The motion was seconded by Councilmember Tilley and passed by a vote of 3 to 0.

Note: Two (2) bills relative to this matter will be needed for the September 16, 1996 City Council meeting. One (1) as recommended by the Planning Commission, and one (1) as recommended by the Planning and Zoning Committee.

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- VI. Discussion of "stub" street connections between subdivisions (requirements for disclosure - i.e., signs, note on recorded plat, etc.) - requested by Councilmember Barry Flachsbart.

Councilmember Flachsbart stated that there needed to be a way for prospective homeowners to know that "stub" streets are going to go through, such as requiring a sign and putting a note on the Record Plat.

There was general discussion regarding the extension of stub streets and street widths. If a street is proposed to be extended, the final design and density of the area should be considered by staff when recommending street width.

Councilmember Flachsbart made a motion as follows:

If stub streets are shown:

- 1) Noted on Record Plat that street is intended to go through
- 2) Sign at stub street that it is intended to connect in the future (sign should be located where the stub street connects to the closest through street.
- 3) Determine if a wider street is necessary for a stub street.

The motion was seconded by Councilmember Tilley and **passed by a vote of 3 to 0.**

(It was suggested that this be communicated to the HBA for feedback before the next P&Z Committee meeting.)

- V. Discussion of Public vs. Private Streets in new townhouse, condominium and single family residential developments - requested by Councilmember Barry Streeter.

Councilmember Flachsbart stated that the City should not allow private streets anymore,

Chairman Streeter indicated that he would call Dennis Hayden, Hayden Homes, and discuss this issue with him, since Hayden Homes is building a new development with a private street.

City Administrator Herring stated that at the next Public Works/Parks Committee meeting, there will be discussion of private streets for single-family and condo developments, and the costs associated with providing snow removal and street maintenance services on such streets.

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Assistant Director of Planning Griggs-McElhanon stated that if private streets were no longer allowed, the subdivision ordinance would have to be amended to eliminate private streets.

After discussion, Staff was directed to notify the HBA of this matter and invite them to the September 18, 1996 P&Z Committee meeting.

VII. Discussion of "Balloon Ordinance" - requested by Linda Tilley. (Attachment)

Councilmember Tilley expressed concern of the appearance of balloons. She handed out a letter from Lane Kendig on signs, and noted that there is specific reference to balloons.

Councilmember Flachsbart stated that the City needed to reconsider the ordinance.

Assistant Director of Planning Griggs-McElhanon noted that a public hearing would have to be scheduled before the Planning Commission to amend the Zoning Ordinance.

Councilmember Tilley made a motion to discuss this with City Council and propose the elimination of balloons. The motion was seconded by Councilmember Flachsbart and **passed by a vote of 2 to 1, with Councilmember Streeter voting no.**

ADD ON #1:

Councilmember Flachsbart stated that he had been contacted about Pauline Bolk's Tax Office. Their berm has washed away and they have changed the grading. Water is flooding Lauren Baxter in the adjacent subdivision. Staff was directed to talk to Public Works on this issue.

ADD ON #2:

Chairman Streeter stated that we needed to create a 2 acre estate zoning district.

Staff was directed to put this on the agenda for the September 18 meeting.

ADD ON #3:

Chairman Streeter asked what the City could do to encourage more mother-in-law quarters to be built.

Councilmember Tilley recommended the staff check with St. Louis County, since they changed their ordinance last year to allow 2 kitchens in 1 house, and bring this back to the Committee.

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ADD ON #4:

Councilmember Tilley noted concern about the appearance of the Public Works Facility. In her opinion it needs to get painted as quickly as possible.

City Administrator Herring suggested that the proper action would be for this Committee to go on record as recommending this to the Public Works/Parks Committee.

Councilmember Flachsbart seconded Tilley's request, and the request was approved by a vote of 3 to 0.

The meeting adjourned at 6:30 p.m.

[M-PZCSUM.904]