

SUMMARY
PLANNING AND ZONING COMMITTEE MEETING
JUNE 14, 1994

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held on Tuesday, June 14, 1994, at 5:35 p.m., in the City Council Room. In attendance were Chairman Dan Hurt (Ward III); Councilmember Barry Flachsbart (Ward I); Councilmember Ed Levinson (Ward II); and Councilmember Linda Tilley (Ward IV). Also in attendance were Mayor Jack Leonard; Planning Commission Vice-Chairman Bill Kirchoff; Planning Commissioner Fred Broemmer; Planning Commissioner Michael Casey; Jerry Duepner, Director of Planning; and Laura Griggs-McElhanon, Senior Planner.

ITEM I. **P.Z. 14-93 Wesley and Teresa Byrne, Sycamore Development Corp., and Joseph & Paulette Schmersahl (Twin Estates at Sycamore Ridge);**
Site Development Plan; north of Kehrs Mill Road at Sycamore Drive.

Director Duepner summarized the recommendation of the Planning Commission relative to the site development plan for P.Z. 14-93. He also noted the request of the Planning Commission relative to stormwater runoff from Meadowbrook Country Club discharging into the detention basin of Kehrs Mill Bend/Sycamore Place Subdivisions. A photograph purportedly depicting this condition, previously submitted to the Planning Commission by a resident of the area, was presented.

Chairman Hurt inquired whether all agreements with the prior developer had been reached with the trustees.

A resident of Sycamore Place Subdivision in attendance at the meeting indicated that they had been.

An agreement signed by the potential developer of the Twin Estates Subdivision (Mr. Wesley Byrne) was submitted. The agreement addressed installation of a storm sewer.

Councilmember Levinson noted that, to his knowledge, the stormwater attributed to Meadowbrook Country Club existed previously, and that the water shed had not changed.

A motion was made by Councilmember Tilley and seconded by Councilmember Flachsbart that the Department of Public Works be directed to write a letter to the City of Ballwin requesting they look into the issue of stormwater runoff from the Meadowbrook Country Club, and requesting a response. The Country Club should be copied on that letter. The motion was approved by a vote of 3 to 0 to 1, with Councilmember Levinson abstaining.

A motion was made by Councilmember Tilley and seconded by Councilmember Hurt for approval of the site development plan. The motion was approved by a vote of 4 to 0.

Note: Action on this matter will be needed at the City Council meeting of June 20, 1994.

ITEM II.

Presentation by members of the City of Chesterfield Planning Commission of proposed Landscape Guidelines for Chesterfield Valley.

Planning Commission Vice-Chairman Bill Kirchoff addressed the Committee on the proposed Landscape Guidelines for Chesterfield Valley. Also in attendance were Planning Commissioners Fred Broemmer and Michael Casey. It was noted that the proposed Guidelines would be less restrictive for the Valley than those presently established for commercial areas elsewhere within the City and portions of the Valley adjoining major thoroughfares.

Chairman Hurt suggested the Guidelines include reference to detention basins as well as drainage ditches.

Councilmember Flachsbart suggested the proposed Guidelines be given to the Public Works Department for review.

Senior Planner Laura Griggs-McElhanon noted that the Public Works Department had participated in preparation of the guidelines relative to trees planted within right-of-way from the approved street tree list, and also that the Department of Public Works had suggested the wording relative to landscaping along drainage ditches.

Councilmember Levinson requested that the issue of incentives for landscaping be reviewed, particularly with the consultant retained for revision of the City's Zoning and Subdivision Regulations.

Mr. Kirchoff noted that the issue of incentives had been discussed by the Committee, but they had felt it would take considerable time to address, and they wanted to establish some guidelines that could be utilized now. He recognized that the incentive issue is something that should be looked at.

There was discussion relative to retention of natural vegetation, particularly scrub. Mr. Kirchoff noted that it would apply to some areas in the Valley.

Councilmember Levinson suggested consideration be given to revising suggested Guideline #1 relative to retention of existing vegetation. He also indicated that landscaping should accentuate, not hide, facilities.

Councilmember Levinson addressed the issue of requirements for a landscape architect.

Mr. Kirchoff noted it was the recommendation of the Committee not to include a requirement for a landscape architect for the Valley Guidelines, but that it is within commercial areas elsewhere in the City, and major thoroughfares of Chesterfield Valley.

Chairman Hurt directed the issue of recommending of landscape architects be considered by the consultant.

The members of the Committee thanked the members of the Planning Commission for their effort in this regard and requested they consider their suggestions.

ITEM III. Memorandum from the Director of Planning concerning annexations.

Director Duepner summarized the issue relative to the Eastern Annexation. He noted passage of an ordinance would be an insurance measure in the event it was determined that any annexations which took place under the Boundary Commission were ruled invalid.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Tilley to approve an ordinance relative to reaffirming the Eastern Annexation. The motion was **approved** by a vote of 4 to 0.

Note: A bill relative to this matter is needed for the June 20, 1994 City Council meeting.

Director Duepner summarized the issue of the Western Annexation. He noted that the Committee had previously directed an annexation proposal be considered which would encompass both the previous Areas 1A and 1B submitted to the Boundary Commission. He noted that direction was being sought on preparing an exhibit for consideration at the City Council meeting relative to an Ordinance of Intent. Presently, with the abolishment of the Boundary Commission, annexation will proceed under the previous regulations established in State Statute Chapter 71. Passage of an Ordinance of Intent would indicate the desire of the City to annex this area and establish that intent as of a specific date.

There was discussion by the Committee relative to the areas to be annexed.

Director Duepner also noted that, with the ruling of the Supreme Court relative to Special Legislation, there is some question about the future of distribution of sales tax within St. Louis County. If the current distribution formula is ruled invalid, annexations may not be as favorable, in that sales tax distribution may not be based upon population. Director Duepner noted that the initial proposed Western Annexations were anticipated not to be revenue positive initially, but with expected

development and population growth, would be revenue positive under the present sales tax distribution formula.

A motion was made by Councilmember Levinson and seconded by Councilmember Hurt that boundaries for a Western Annexation be prepared which would extend southward to Orville Road, westward to just west of the intersection of Wild Horse Creek and Eatherton Roads, and the remainder of the Chesterfield Valley area. **The vote on the motion was 2 to 2, with Councilmembers Levinson and Hurt voting yes, and Councilmembers Tilley and Flachsbart voting no. This motion failed.**

Councilmember Flachsbart noted he had no interest in seeking to annex the remainder of the Chesterfield Valley area.

A motion was made by Councilmember Levinson to seek annexation of the area south to Orville Road, including an area just east of Shepherd Road, west of the Eatherton/Wild Horse Creek Road intersection and the remainder of the Valley. The motion was seconded by Councilmember Tilley and **approved by a vote of 3 to 1, with Councilmember Flachsbart voting no.**

Note: A bill relative to this matter will be needed for the June 20, 1994 City Council meeting.

Mayor Leonard addressed the Committee relative to the prior proposed Southern Annexation. He noted that the City of Ballwin had withdrawn its request for an August election on that matter.

Director Duepner noted the question of sales tax also applied to this area. Half of the anticipated revenue from this annexation would be from the sales tax.

Mayor Leonard noted to the Committee past history relative to Resolutions of Annexation Intent, and establishing a precedent.

Chairman Hurt suggested it may be appropriate to consider a fiscal analysis of the area prior to taking any action in the matter. Councilmember Tilley agreed.

Director Duepner pointed out that an Ordinance of Intent, similar to that for the Western Annexation, may be considered to establish a claim to the area.

A motion was made by Councilmember Levinson to prepare an Ordinance of Intent for annexation of the southern area. **The motion failed for lack of a second.**

The Committee then directed that the Department place the issue of the Southern Annexation on the July 6, 1994 agenda. At that time, a financial analysis based upon possible loss of sales tax revenue with a comparison to the previous fiscal analysis should be presented.

There was discussion by the Committee relative to the City pursuing litigation to establish Chesterfield as a Point-of-Sale City. A motion was made by Councilmember Levinson and seconded by Councilmember Flachsbart that the Finance and Administration Committee be requested to look at an effort to establish Chesterfield as a Point-of-Sale City. The motion passed by a vote of 4 to 0.

The meeting recessed for several minutes to relocate to Conference Room A.

The meeting reconvened in Conference Room A.

ITEM IV. Memorandum from the Director of Planning concerning relocated businesses from Chesterfield Valley (Specialty Sales, 16033 Aston Court; Tennill & Associates, 14231 Trailtop Drive).

Director Duepner summarized the memorandum noting that, based on a recent inspection, the business previously on Trailtop Drive had relocated to the Valley.

A motion was made by Councilmember Tilley and seconded by Councilmember Flachsbart recommending that the business at 16033 Aston Court be allowed to extend its operation to August 1, 1994. The motion was approved by a vote of 4 to 0.

ITEM V. P.Z. 7-94 Donald and Erwin Knoesel; "NU" Non-Urban District to "R-1" One-Acre Residence District; west side of Wilson Road, north of the intersection of Wilson Road and Chesterfield Lakes Road.

Director Duepner summarized the request of the petitioner to seek withdrawal of the petition without prejudice.

A motion was made by Councilmember Tilley and seconded by Councilmember Flachsbart that the matter be referred back to the Planning Commission for appropriate consideration. The motion was approved by a vote of 4 to 0.

ITEM VI. Proposed memorandum to subdivision trustees regarding mailing of public hearing notices.

Councilmember Flachsbart submitted recommended changes, and made a motion that the memorandum be approved, subject to the changes. The motion was seconded by Councilmember Tilley and approved by a vote of 4 to 0.

ITEM VII.

Planning and Zoning Committee meeting schedule for remainder of 1994.

The Committee agreed to maintain the previously established meeting schedule for the remainder of 1994.

The Committee requested that Director Duepner bring the schedule back for discussion upon the naming of a new member to the Planning and Zoning Committee.

ITEM IX.

Attendance at Planning Commission meetings for remainder of 1994.

Chairman Hurt noted the attendance of the Planning Commission schedule during the summer months will be attended by Councilmember Flachsbart. The remaining meetings for 1994, will be attended as follows: September 12 - Councilmember Levinson; September 26, Chairman Hurt; October 10, Councilmember Levinson; October 24, Chairman Hurt; November 14, Councilmember Levinson; and December 12, Councilmember Levinson. The November 28 meeting would be attended by the new member of the Planning and Zoning Committee to be appointed after the August election.

Councilmember Levinson noted the desire to attend the meeting at which the Nooning Tree Partnership project is scheduled for discussion by the Planning Commission.

Councilmember Flachsbart indicated that he would be agreeable to Councilmember Levinson serving as the liaison at that meeting.

ITEM VIII.

Revision of Zoning and Subdivision Regulations.

Director Duepner summarized the memorandum, noting the desire to establish a meeting with Mr. Kendig to coincide with a Planning and Zoning Committee meeting.

Chairman Hurt noted that he may not be able to attend the meeting on July 6.

It was directed that the meeting with Mr. Kendig be tentatively established for July 6, or August 3, at 5:00 p.m. The meeting should last for not more than one (1) hour, preceding a Planning and Zoning Committee meeting. Relative to meetings with other groups during Mr. Kendig's reconnaissance meeting, Committee directed that they be advised of the date, time, participants and content of those meetings.

Councilmember Levinson indicated his desire to meet with Mr. Kendig and to give him a tour of selected projects.

Chairman Hurt noted it would be inappropriate to overly bias Mr. Kendig, recognizing that members of the Committee have specific desires or interests that they may wish to discuss with Mr. Kendig. There was no objection voiced relative to members of the Committee taking Mr. Kendig on a tour of selected areas. Committee members should be advised when others are attending tours, and what items are to be seen. Chairman Hurt directed that the Planning Department advise Mr. Kendig of the concern of biases. The Committee members were advised to watch the time they spend with Mr. Kendig, in that we will be billed for his time under the terms of the contract.

ITEM X. Memorandum from the Director of Planning regarding Chesterfield Fire Protection District proposed facility at River Valley Drive and Olive Boulevard.

Director Duepner summarized the memorandum relative to the Chesterfield Fire Protection District's proposed location for proposed facility at River Valley Drive and Olive Boulevard.

Councilmember Flachsbart inquired as to what may be done relative to retaining trees along the north property line.

Councilmember Hurt recommended that a letter be sent to the Fire District stating concerns relative to the proposed training/exercise area. The letter should indicate the desire of the Committee that more vegetation and less activity at the rear of the property, and that the preference would be that the activity, with proper landscaping to buffer, be located in the front.

The Committee agreed by a vote of 4 to 0.

ITEM XI. Correspondence from Mrs. John Hoffman concerning signs.

Director Duepner summarized the concerns of Mrs. Hoffman to, so-called, "bandit signs."

A motion was made by Councilmember Flachsbart and seconded by Councilmember Tilley that Staff come in during the weekend to survey signs located along rights-of-way, and letters be sent to the Home Builder's Association Real Estate Board and those parties with "bandit signs" advising them of the City's ordinances, and expressing concern over the proliferation of such signs. **The motion was approved by a vote of 4 to 0.**

ITEM XV.

Memorandum from the Director of Planning concerning Planning Commission recommendation on Home Day Care Facilities.

A motion was made by Councilmember Flachsbart and seconded by Councilmember Tilley that the Planning Commission be requested to think about the issue of Home Day Care again. It should be noted that the Committee has discussed the matter, and believe it important for the Commission to make a decision on. **The motion was approved by a vote of 4 to 0.**

SITE PLANS, BUILDING ELEVATIONS AND SIGNS REVIEWED BY THE PLANNING COMMISSION ON JUNE 13, 1994.

- A. Ladue Associates Subdivision; "C-8" Planned Commercial District Minor Subdivision Plat; south side of Ladue Road, east of Ladue Glen Court.

Note: A bill for this item will be on the June 20, 1994 Council agenda.

ADD ON #1 Councilmember Levinson, by a vote of 4 to 0, was elected as the Vice-Chairman of the Planning and Zoning Committee.

The next meeting of the Planning and Zoning Committee will be on **Wednesday, July 6, 1994, at 5:30 p.m.**

The meeting adjourned at 7:22 p.m.

[PZC-SUM.614]