

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: May 10, 2002

SUBJECT: Planning and Zoning Committee Meeting Summary from May 9, 2002

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, May 9, 2002, in Conference Room 101. In attendance were: Chairman Dan Hurt (Ward III); Councilmember Jane Durrell (Ward I); Councilmember Barry Streeter (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Councilmember Bruce Geiger (Ward II); Councilmember Mike Casey (Ward III); Councilmember Connie Fults (Ward IV); Planning Commission Chairman David Banks; Planning Commission Vice-Chairman Stephanie Macaluso; Acting Director of Planning Barbara Weigel; Project Planner Mike Hurlbert; Planning Technician Tim Renaud; and Kathy Lone, Planning Assistant.

*To be discussed at the 5/20/2002 City Council Meeting.

Chairman Hurt called the meeting to order at 5:30 p.m.

I. Approval of the Planning and Zoning Committee Meeting Summary of April 18, 2002.

Councilmember Brown made a motion to approve the Meeting Summary of April 18, 2002. The motion was seconded by Councilmember Streeter and **passes by a voice vote of 4 to 0.**

***IV. Street Name Change** - an ordinance to change the name of the north-south street named "THF Boulevard" to "Chesterfield Commons Drive", located south of Chesterfield Airport Road.

Councilmember Streeter made a motion to approve and forward to City Council the name change of THF Boulevard to Chesterfield Commons Drive. The motion was seconded by Councilmember Brown and **passes by a voice vote of 4 to 0.**

*** Note: One bill, as recommended by the Planning and Zoning Committee, will be needed for the May 20, 2002 City Council Meeting.
SEE Bill #**

- II. P.Z. 30-2001 Westchester:** A request for a change in zoning from an "NU" Non-Urban District to an "E-3" Residence District for a 7.49 acre tract of land located on the south side of Wild Horse Creek Road, east of Kehrs Mill Road and west of Wilson Road (Locator Number: 18U 24 0111).

Project Planner Mike Hurlbert gave an overview of this petition and stated that **P.Z. 30-2001 Westchester** was approved by the Planning Commission by a vote of 5 to 4. Mr. Hurlbert stated that a reason for the close vote was due to the density of the zoning.

Planning Commission Chairman Banks stated that many of the Commissioners felt that since this in-fill site was landlocked between two R-1 and R-1A developments, they could not insist on one (1) acre lots and that some Commissioners felt that this proposal was in conflict with the West Area Study (1 acre lots).

General discussion followed concerning mitigation, grading, lot size, concern that this will set a precedent if property across Wild Horse Creek Road seeks rezoning and suggestions of possible lot rearrangement.

Mr. Dave Volz, engineer for this petition, stated that this proposal would have the same buffer on Wild Horse Creek Road as Chesterfield Estates and the topography is the problem with this property.

Ms. Weigel stated that conditions could only be put on a straight zoning if the petitioner agrees.

Councilmember Streeter made a motion to hold **P.Z. 30-2001 Westchester** until the May 23, 2002 Planning and Zoning Committee Meeting. Staff will arrange a meeting with Chair Hurt, Councilmember Brown, Mr. Dave Volz, engineer, and Mr. Ed Levinson, petitioner, for possible solutions. The motion was seconded by Councilmember Durrell and **passes by a voice vote of 4 to 0.**

Staff will inform other councilmembers of the meeting.

III. Property Maintenance Codes

Ms. Weigel gave an overview of the Property Maintenance Codes. Ms. Weigel stated that the ordinances she provided were for residential and non-residential. Ms. Weigel stated that these ordinances do not include comments from City Attorney Doug Beach.

Chair Hurt stated that he and Councilmember Casey have met with trustees in Ward III who expressed concern with needing help enforcing property maintenance issues. Chair Hurt stated that he would like to forward an ordinance to City Council and, if not, he would request that the Planning and Zoning Committee hold a public hearing.

Councilmember Streeter stated that subdivisions have indentures and expressed concern with government involvement.

In attendance were several trustees who expressed concern with not being able to enforce

maintenance issues in their subdivision.

Councilmember Casey stated that indentures were written for new subdivisions and it is the older homes that need repairs, not the new homes.

General discussion followed concerning maintenance versus appearance code, government involvement, protecting property values, possibility of hardship on some residents, reducing some items in the ordinances, use of the word 'functional,' and trustees being able to enforce maintenance issues.

Chair Hurt directed Staff to bring something back to the Committee that is less onerous than what has already been presented in the sample ordinances.

Councilmember Brown made a motion bring back the Property Maintenance Code to the May 23, 2002 Planning and Zoning Committee Meeting and be prepared to direct Staff on the items in the ordinance they would like rewritten. This would also include, if it would be a hardship on some residents, what help the City could provide. The motion was seconded by Councilmember Durrell and **passes** by a voice vote of 4 to 0.

V. Executive Session – Litigation [RSMo 610.021(1)]

The meeting unanimously adjourned at 6:46 p.m. into Executive Session.

BW/kl