

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa Price, Director of Planning ✓

DATE: June 8, 1998

SUBJECT: Planning and Zoning Committee Meeting Summary from June 4, 1998

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, June 4, 1998, in the City Council Conference Room. In attendance were: Chairperson Dan Hurt (Ward III), arrived after the meeting began, Councilmember Barry Flachsbart (Ward I); Councilmember Barry Streeter (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Mayor Nancy Greenwood, arrived late; Bob Grant, Planning Commission Chair; Michael Herring, City Administrator, Mike Geisel, Director of Public Works / City Engineer, and Teresa Price, Director of Planning.

* To be discussed at 7/6 City Council Meeting

I. Approval of Planning and Zoning Committee meeting summary of June 4, 1998. After Vice Chair Mary Brown called the meeting to order at 5:30 PM, a motion to **approve** the meeting summary of ~~May 7, 1998~~, was made by **Councilmember Flachsbart**, seconded by **Councilmember Streeter**, and **approved** by a vote of **3 to 0**.

II. **Departmental Update** – Teresa Price, Director of Planning

Director Price informed the Committee of the status of the Architectural Review Board. She explained that a joint work session was held between the Planning Commission and the Board on Wednesday June 3, 1998. Following the work session, a meeting of the Board was held. Craig Conway was elected Chairman, and Bob Boland was elected Vice Chairman of the Board.

The proposed review procedure was explained with emphasis noted that the process would be a parallel to the current plan review process.

City Administrator Herring noted that these "Departmental Updates" would be used by **Director Price** in the future to provide status reports on all items on the "pending list".

- III. ***P.Z. 20 & 21-95 Premier Development Corp. (Windridge Estates); a request for an amendment to City of Chesterfield Ordinance Number 1092 for a Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and the "FPR-1" Flood Plain "R-1" One Acre Residence District; south side of Wild Horse Creek Road, west of Long Road (relative to deleting the sidewalk adjacent to Wild Horse Creek Road).**

Director Price explained that the applicant is requesting an amendment to the ordinance to eliminate the requirement to place a sidewalk along Wildhorse Creek Road. The request is based on the difficulties of placing the sidewalk at this location due to the grade and lack of future extension. Slides were presented to the Committee reflecting the proposed location of the sidewalk.

Director Price presented the Planning Commission's recommendation, to require the developer to build the sidewalk as far as possible and escrow the remaining portion.

A motion was made by **Councilmember Flachsbart**, second by **Councilmember Brown** to recommend approval of the Planning Commission recommendation.

Chairperson Hurt questioned who would be responsible for the determining how far the sidewalk should be built and how much should be escrowed. **Director Price** noted that the Planning Commission specified in their recommendation that it be the responsibility of the Director of Public Works to make the determinations.

Director of Public Works / City Engineer Mike Geisel explained to the Committee the three alternatives that the Engineering Division had discussed with the developer when approached about the issue.

1. Build the sidewalk.
2. Escrow for the sidewalk in an amount of \$30,964.
3. Have the ordinance amended to delete the sidewalk requirements.

Director Geisel then noted his concern over not building any portion of the sidewalk now and coming back and building later. At least with a partial amount of the sidewalk constructed, residents would be aware of the possibility of the sidewalk being continued.

Additionally, **Director Geisel** explained how the two escrow numbers were developed. The sidewalk was originally calculated as a part of the lump sum subdivision escrow. With regard to quantities etc. the Engineering Division calculated this to be around \$15, 450 for the construction of the concrete sidewalk only, not grading and other incidental items.

However it should be noted there is no separate sidewalk escrow, it is part of the large

escrow for the subdivision. When the applicant ask the Department of Public Works for a number that would be required if they choose to not build but exercise the option to escrow instead, the \$30,964 figure was developed. This number not only includes material but also costs for grading etc.

General discussion was then held concerning the two estimates.

The Committee discussed the following issues: the location of the sidewalk with regard to the common ground; the developability of the adjacent ground of Baxter Gardens; Whether the sidewalk can be built to meander to save a tree on site; whether the ordinance as written allowed the creation of a special cash escrow.

City Administrator Mike Herring then asked if funds are available, who would decide to construct this sidewalk. **Director Geisel** noted that bids would be sought and forwarded to the City Council.

Wendy Geckeler, citizen, explained to the Committee her concern of tearing out the berm and tree. She stated that people had bought those homes with the berm and trees.

Mayor Greenwood noted that the sidewalk was shown on the plans.

Mr. Grant then explained to the Committee that it was the Planning Commission's intent to have the sidewalk built as far as practical.

An attorney for the applicant then questioned the Committee how the escrow amount could be increased from the original amount. It was then restated that technically there is no original amount it is a lump sum amount for all infrastructure improvements and that the itemization was only used to develop the original escrow requirement.

Councilmember Flachsbart withdrew his original motion; **Councilmember Brown** withdrew her second.

Motion by **Councilmember Streeter** to deny the request to remove the sidewalk requirement. Second by Councilmember Hurt. Motion passed 4 to 0.

Motion by **Councilmember Flachsbart** to direct staff to exercise the option to develop a special cash escrow for the sidewalk in an amount determined by the Director of Public Works / city Engineer to be sufficient to construct the sidewalk and all related improvements. Seconded by **Councilmember Brown**. **Motion passed 4 to 0**

Note: One bill relative to this matter will be needed for the June 15, 1998, City Council Meeting (as recommended by the Planning Commission). There is no bill from Planning and Zoning Committee as they recommended denial, which allows the ordinance to stay in the form as originally adopted).

SEE Bill # _____ (as recommended by the Planning Commission)

- IV. ***P.Z. 26-93 Glenn Novack/Redia McGrath (The Wedge); a request for an amendment to City of Chesterfield Ordinance Number 959, the governing "C-8" Planned Commercial District Ordinance for The Wedge; north side of Olive Street Road at Chesterfield Airport Road (relative to reducing the setback from Chesterfield Airport Road).**

Director Price explained that the applicant is requesting an amendment to the ordinance to change the setback along Chesterfield Airport Road from 40 feet to 25 feet. The reason for the request is that surveying and engineering errors have resulted in the setback being calculated wrong. As presently shown the present canopies for the gas pumps are over the setback and the future planned addition to these will encroach further.

Director Price presented the Planning Commission's recommendation, to change the required building setback from forty (40) feet to twenty-five (25) feet along the right of way of Chesterfield Airport Road.

Councilmember Flachsbart made the motion to approve an amendment to only permit the exiting canopies with a twenty-five feet setback. Second by **Councilmember Hurt**.

Discussion occurred concerning the surrounding setbacks.

Mike Doering, speaking on behalf of the applicant, presented to the Committee the proposed plan already delineating an expansion of the western canopy. **Mr. Doering** explained that this canopy would mirror the present one and is located adjacent to it to the east.

Councilmember Flachsbart amended the motion to include a twenty-five (25) foot setback for the existing and "proposed canopies" only. The exact wording was to be developed by the Department of Planning. **Councilmember Hurt** accepted the amendment to the motion. **Motion passed 4 to 0.**

Note: Two bills relative to this matter will be needed for the June 15, 1998, City Council Meeting (one as recommended by the Planning Commission, and one as recommended by the Planning & Zoning Committee).

SEE Bill # _____ (as recommended by the Planning Commission)

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The meeting adjourned at 6:30 p.m.