

## MEMORANDUM

TO: Michael G. Herring, City Administrator  
Acting Director of Planning

FROM: Laura P. Griggs-McElhanon, AICP *epgm*  
Assistant Director of Planning

DATE: June 11, 1997

SUBJECT: Planning and Zoning Committee Meeting Summary from June 5, 1997

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A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:35 p.m., on Thursday, June 5, 1997, in the City Council Conference Room. In attendance were Chairman Dan Hurt (Ward III) (arrived later); Councilmember Barry Flachsbart (Ward I); Councilmember Barry Streeter (Ward II) (arrived later); and Councilmember Mary Brown (Ward IV). Also in attendance were: Rick Bly, Chairman of the Planning Commission; Mike Herring, City Administrator/Acting Director of Planning; and Laura Griggs-McElhanon, Assistant Director of Planning.

**ITEM I.** Approval of summary of Planning and Zoning Committee meeting of May 22, 1997.

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

**ITEM II.** Meeting Schedule.

City Administrator/Acting Director of Planning Herring discussed the upcoming meeting dates for the Planning Commission and the P&Z Committee, and the necessity for a June 19th Committee meeting.

Chairman Hurt recommended that the meeting stay on the agenda, and if there aren't any Moratorium related items for discussion, the meeting will be canceled.

Planning Commission Chairman Bly stated that he had discussed the proposed Moratorium meeting schedule with a majority of the Planning Commission members (only one meeting a month for Public Hearings and the second meeting a month would be reserved for Moratorium related items) and they were supportive of the schedule.

**ITEM III.** **P.Z. 4-97 Captain's Capital, L.L.C.**; "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District; north side of Olive Boulevard, east of Hog Hollow Road.

Correspondence from the petitioner's attorney was submitted to the Committee requesting this petition be held.

A motion to hold this petition until July 10, 1997, was made by Councilmember Flachsbart, seconded by Councilmember Brown and approved by a vote of 4 to 0.

**ITEM IV.** **P.Z. 3-97 Lenette Realty and Investment Company (Clayton Baxter Center )**; "C-2" Shopping District, "C-8" Planned Commercial District and "R-2" 15,000 square foot Residence District to "C-8" Planned Commercial District; southwest corner of Clayton Road and Baxter Road.

Correspondence from the petitioner's attorney was submitted to the Committee requesting this petition be held.

A motion to hold this petition until July 10, 1997, was made by Councilmember Flachsbart, seconded by Chairman Hurt and approved by a vote of 4 to 0.

Residents at the meeting inquired if there was a time limit on holding this petition. They were informed that there is no time limit.

Councilmember Flachsbart recommended the City Council members go to the site and walk around.

**Item V.** **P.Z. 31-96 Sebastian Rucci (Eagle Crest Estates)**; "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; south side of Wild Horse Creek Road, west of the intersection of Wilson Road and Wild Horse Creek Road.

AND

**ITEM VI.** **P.Z. 32-96 Sebastian Rucci (Eagle Crest Estates)**; a Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "FPR-1" Flood Plain One Acre Residence District; south side of Wild Horse Creek Road, west of the intersection of Wilson Road and Wild Horse Creek Road.

Correspondence from the petitioner's attorney was submitted to the Committee requesting these petitions be held.

A motion to hold these petitions until July 10, 1997, was made by Councilmember Streeter, seconded by Councilmember Brown and approved by a vote of 4 to 0.

**ITEM VII.** **P.Z. 10-97 Taylor-Morley Inc., (The Estates at Baxter Ridge Addition)**; "NU" Non-Urban District to "R-1" One Acre Residence District and "R-2" 15,000 square foot Residence District; south side of Wild Horse Creek Road, west of the intersection of Baxter Road.

AND

**ITEM VIII.** **P.Z. 11-97 Taylor-Morley Inc., (The Estates at Baxter Ridge Addition)**; a Planned Environment Unit (PEU) Procedure in the "R-1" One Acre Residence District and "R-2" 15,000 square foot Residence District; south side of Wild Horse Creek Road, west of the intersection of Baxter Road.

Assistant Director Griggs-McElhanon summarized P.Z. 10 & 11-97, which were approved by the Planning Commission by a vote of 8-0-1 (P.Z. 10-97) and 7-1-1 (P.Z. 11-97). Separate motions are needed on these petitions.

There was discussion concerning the proposed density, the proposed zoning line, the location of common ground and if this addition will have the same Trust Indentures as the adjacent Estates at Baxter Ridge.

Assistant Director Griggs-McElhanon clarified the reason for and location of a landscape easement on the northern edge of the proposed development.

Councilmember Brown inquired if the City could make the developer change the name because of other developments in Chesterfield with Baxter Ridge in their name.

Assistant Director Griggs-McElhanon explained that St. Louis County provides name certification for all developments, and unless the name were identical to another development in Chesterfield, the proposed name would be approved.

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Councilmember Flachsbart stated that he had no problem with the proposed name and he thought it was a good idea to have the landscape easement.

A motion to approve P.Z. 10-97 was made by Councilmember Flachsbart, seconded by Councilmember Brown and approved by a vote of 4 to 0.

**Note: One bill relative to this matter will be needed for the June 16, 1997, City Council Meeting.**

A motion to approve P.Z. 11-97 was made by Councilmember Flachsbart, seconded by Councilmember Brown and approved by a vote of 4 to 0.

**Note: One bill relative to this matter will be needed for the June 16, 1997, City Council Meeting.**

**ITEM IX. P.C. 20-86 Thomas A. Stern (Woodchase Plaza); request for amendment of "C-8" Planned Commercial District Ordinance for a 20% parking space reduction; north side of Olive Boulevard, east of Woods Mill Road (Highway 141).**

Assistant Director Griggs-McElhanon summarized the request, which would bring the current development into conformance with parking requirements. At the time this area was annexed into the City of Chesterfield (May, 1992), the restaurant seating exceeded that allowed in the governing "C-8" Planned Commercial District Ordinance approved by St. Louis County. In addition, the request would allow an additional sixteen (16) restaurant seats. The Planning Commission recommendation includes a requirement to require the development to continue to provide 191 parking spaces.

A motion to approve the request was made by Councilmember Flachsbart, seconded by Councilmember Streeter and approved by a vote of 4 to 0.

**Note: One bill relative to this matter will be needed for the June 2, 1997, City Council Meeting.**

**ADD ON #1**

The Committee began discussions re: the Moratorium and how issues can/should be referred to the various Panels. It was agreed, unanimously, that all suggested items for consideration by the Panels would first need to be reviewed/approved by the P & Z Committee of City Council.

The Committee was then given a memo from Councilmember Politte requesting that the issue of financing Public Art be added to a Moratorium Panel.

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There was general discussion of the request. Obtaining input from the HBA and the Chamber of Commerce was discussed.

Councilmember Flachsbart stated that he was not in favor of putting a burden on developers. He felt that we should request input from the HBA and the Chamber of Commerce and take it up at the July 10, 1997 meeting.

Councilmember Brown stated that there are appropriate times to request developers to do things (dedicate park land when they take down trees and make them plant trees).

Councilmember Streeter stated that if we ask for Public Art, we should ask for dedication/contribution to everything.

A motion not to refer this issue to a Moratorium Panel was made by Councilmember Brown, seconded by Councilmember Streeter, and approved by a vote of 3 to 1, with Councilmember Hurt voting no.

**ADD ON #2**

A request has been received to add the issue of requiring a Public Hearing if a use is proposed to change to the Commercial Moratorium Panel items.

A motion to formally add this issue to the Commercial Moratorium Panel was made by Councilmember Flachsbart, seconded by Chairman Hurt and approved by a vote of 4 to 0.

**ADD ON #3**

Councilmember Brown, at the request of Councilmember Tilley, brought up the issue of the tent at the Doubletree.

There was general discussion among the Committee and staff about allowing the tent as a permanent structure.

City Administrator Herring noted that City Attorney Beach had been involved in discussions and decision-making with the former-Director about this issue. Mr. Herring suggested that he ask Mr. Beach to prepare a memo for the next Planning and Zoning Committee meeting on why it was determined that the tent was allowed to be a permanent structure.

It was clarified that this issue will not go to a Moratorium Panel. The Ordinance Review Committee of the Planning Commission will be discussing the issue of permitting such tents.

**ADD ON #4**

Councilmember Brown recommended that the Committee clarify that the Character of Neighborhoods Moratorium Panel includes the issue of a minimum lot size along Wild Horse Creek Road of 1 acre.

Councilmember Flachsbart stated that the issue of minimum lot sizes is to be looked at by that Panel.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, to have the Character of Neighborhoods Moratorium Panel consider minimum lot sizes along collector streets and major arterials. By a vote of 4 to 0 this motion was approved.

**ADD ON #5**

A letter from Councilmember Sheppard, containing the following nine (9) topics was discussed:

1. **Redetermine the flood plain based on the excess runoff expected when all of Chesterfield is completely built.**

The Committee determined that this issue could be addressed in the future, but not by the Moratorium Panels.

2. **When determining density of any building site do not include:**
  - A. **The redetermined 100 year floodplain land.**
  - B. **Hillsides with slopes of 30 degrees or greater.**
  - C. **Paved areas of roads and right-of-way (the right-of-way should be at least as wide as the county standard).**

The Committee determined that "A" could be addressed in the future, but not by the Moratorium Panels. "B" and "C" will be referred to the Character of Neighborhoods Moratorium Panel.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Brown, to make sure that the Character of Neighborhoods Moratorium Panel has "B" and "C" on their list. This motion was approved by a vote of 4 to 0

3. **Require the percentage of land in every lot that is free to absorb runoff to be greater than X% (perhaps 50 - 60%) both when built and in the future.**

The Committee determined that this issue could be addressed in the future, but not by the Moratorium Panels.

4. **Set soil compaction requirements, especially where fill dirt is a factor.**

The Committee was not sure what this means.

**5. Include Westland Acres in the rezoning of the West Area Study.**

This item was not referred to any Moratorium Panel.

**6. Private streets need to meet all requirements of public streets. Only residents living in the affected area after a subdivision is complete may vote to take streets private, not developers.**

The Committee determined that this issue is already in the Streets Moratorium Panel. It was not referred to any Moratorium Panel.

**7. Define home businesses which are allowed in residentially zoned areas.**

There was a general discussion of the Commercial Service Procedure (CSP), the Conditional Use Permit (CUP) and home occupations.

A motion was made by Councilmember Flachsbart to refer the issue of re-evaluating the definition of "home occupation" to the Conditional Permits Moratorium Panel, seconded by Councilmember Streeter and approved by a vote of 4 to 0.

**8. Require developers to post bonds, then develop a system of fines equal to the amount of extra expense that would incur to the city over the next 20 years as a result of any unauthorized changes made during the development. The fine to be determined by the Chesterfield Director of Public Works and approved by the City Council.**

The Committee determined that there is no Panel to forward this issue to.

**9. Determine which roads will eventually be widened to four or five lanes. Require all lots (both residential and commercial) along those streets to be large enough, and all buildings to be set back far enough to prepare for that eventuality.**

The Committee determined that there is no Panel to forward this issue to.

The next meeting is scheduled for 5:30 p.m. on Thursday, June 19, 1997, if needed for Moratorium panel items. The next regularly scheduled meeting will be 5:30 p.m. on Thursday, July 10, 1997.

**The meeting adjourned at 6:45 p.m.**