

# MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa Price, Director of Planning 

DATE: July 10, 1998

SUBJECT: Planning and Zoning Committee Meeting Summary from July 8, 1998

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A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Wednesday, July 8, 1998, in the City Council Conference Room. In attendance were Chair Dan Hurt (Ward III); Councilmember Barry Flachsbart (Ward I); Councilmember Barry Streeter (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Mayor Nancy Greenwood, Councilmember Michael Casey (Ward III); Bob Grant, Planning Commission Chair; James Rocca, Tree Consultant; Teresa Price, Director of Planning.

**I. Approval of Planning and Zoning Committee meeting summary of June 4, 1998.**

A motion to approve the meeting summary of June 4, 1998, was made by Councilmember Streeter, seconded by Councilmember Flachsbart, and approved by a vote of 4 to 0.

**II. Department Update — Director Teresa Price**

Director of Planning Teresa Price described research projects currently underway in the Planning Department, including home occupations, impervious surfaces, building massing, setbacks, parking requirements, and sign regulations.

Director Price also noted that the Chesterfield Fire District had requested a meeting with the Committee. It was suggested that this could be at the next meeting. Councilmember Streeter requested that Metro West Board of Directors also be invited.

**III. Pawn Shops: Review of City Attorney Doug Beach's memo concerning Pawn Shop regulations.**

Director of Planning Teresa Price stated that an application was received for the opening of a pawn shop in the City, and upon review of the zoning ordinance it was concluded that pawn shops were a permitted use.

The Committee discussed the nature of pawn shops as a retail use, lending institution, or private lender.

A motion was made by Councilmember Flachsbart, seconded by Councilmember Streeter, to direct

staff and Mr. Beach to draft an amendment explicitly excluding pawn shops from all commercial districts, as a use not in keeping with the character of the City of Chesterfield. The motion was approved by a vote of 4 to 0.

The Committee reached unanimous consensus to request City Attorney Doug Beach to review why pawn shops are permitted as a retail use rather than excluded as a private lender.

**IV. Tree Consultant: The City's Tree Consultant, Jim Rocca, will be at the meeting to discuss the Tree Ordinance, Tree Manual, and implementation thereof.**

Tree Consultant Jim Rocca stated that an application and checklist of required materials should be submitted with tree preservation plans. An aerial photograph should be among these required materials.

Councilmember Flachsbart expressed concerns over the cost to developers of a scaled aerial photograph showing their site.

The Committee discussed the feasibility of such a photograph and the need to change the wording of the ordinance to require an aerial photograph with each tree preservation plan.

A motion was made by Councilmember Brown to change the wording of the Tree Ordinance to require an aerial photograph with the project site delineated. The motion was seconded by Chair Hurt. The motion was approved by a vote of 4 to 0.

Tree Consultant Jim Rocca noted a need to clarify that the Planning Department is not bound to accept a determination of hardship by a developer, but may instead make an independent determination of hardship and may deny a request for mitigation.

Councilmember Flachsbart proposed that the Planning Department may be required to accept a developer's determination of hardship and allow mitigation for "Property for which an ordinance, generally describing conditions of development, has been in existence as a result either by the City of Chesterfield or St. Louis County (prior to the City's incorporation or prior to the City's annexation of the property), and where a valid site development concept plan, site development plan, or a final development plan has been approved prior to the adoption of this ordinance."

The Committee discussed the specific language changes necessary to include this exception in the Tree Ordinance and whether this change is desirable.

A motion was made by Councilmember Flachsbart to adopt proposed language changes to the Tree Ordinance allowing developers with pre-existing site development plans to mitigate without a finding of hardship by the Planning Department.

Motion dies for lack of a second.

Tree Consultant Jim Rocca suggests that guidelines be created for tree care, selection, and placement for all construction sites.

A motion was made by Councilmember Brown to develop such guidelines. The motion was seconded by Councilmember Streeter. The motion was approved by a vote of 3 to 1, with Councilmember Flachsbart voting no.

Councilmember Flachsbart left the meeting.

Tree Consultant Jim Rocca stated that the terminology referring to various professionals in the ordinance in loose and inconsistent.

A motion was made by Councilmember Brown to direct staff and the Tree Consultant to look into the issue of who should qualify as an approved professional. The motion was seconded by Councilmember Streeter. The motion was approved by a vote of 4 to 0.

Tree Consultant Jim Rocca stated that the Tree Ordinance contains no provisions for enforcement. He noted that a tree-knowledgeable inspector is needed to verify compliance.

**V. Landscaping Expenditure Credits: The City has been asked to consider landscaping expenditure credits for trees planted in the Highway 40 Corridor.**

Director of Planning Teresa Price suggested that only landscaping expenditures on trees, not on flowers, mulch or other landscaping components, be considered as a credit toward mitigation.

Chair Hurt expressed concern about who would maintain trees planted in the public right of way.

Director of Planning Teresa Price asked when the credit would begin for the landscape expenditures to allow them to count toward mitigation measures.

The Committee discussed whether on-site plantings should count as a landscape expenditure credit.

The Committee reached a consensus that the ordinance presently allows expenditures to count towards mitigation. However, no consensus was reached on an effective date.

The next regularly scheduled meeting will be held at 5:30 p.m. on Thursday, July 23, 1998.

**The meeting adjourned at 7:15 p.m.**