

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: July 11, 2003

SUBJECT: Planning and Zoning Committee Meeting Summary from July 10, 2003

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, July 10, 2003, in Conference Room 101. In attendance were: Chair Barry Streeter (Ward II), Councilmember Jane Durrell (Ward I), and Councilmember Dan Hurt (Ward III). Also in attendance were: Mayor John Nations; Councilmember Bruce Geiger (Ward II); Councilmember Mike Casey (Ward III); Councilmember Connie Fults (Ward IV); Former Mayor Nancy Greenwood; Planning Commission Chair Victoria Sherman; Director of Planning Teresa Price; Senior Planner Anissa McCaskill; Project Planner David Bookless; Project Planner Aimee Nassif; Project Planner Christine Smith Ross; Planning Technician Steve Cheslak; and Kathy Lone, Planning Assistant.

*To be discussed at 7/21/2003 City Council Meeting.

Chair Streeter called the meeting to order at 5:30 p.m. (Councilmember Brown was absent for the meeting.)

I. Approval of the Planning and Zoning Committee Meeting Summary of June 19, 2003.

Councilmember Hurt made a motion to approve the Meeting Summary of June 19, 2003. The motion was seconded by Councilmember Durrell and **passes by a voice vote of 3 to 0.**

II. P.Z. 29-2002 The Bluffs at Appaloosa Way: A request for a change of zoning from a "NU" Non-Urban District to a "E-3" Residence District for a 13.5 acre tract of land located north of Wildhorse Creek Road, to the west of the "Appaloosa Way" subdivision (Locator Numbers 18T-42-0194, 18T-42-0161, 18T-44-0059, 18T-44-0015, 18T-42-0039).

Councilmember Hurt made a motion to reword the paragraph on voting in the cover letter to read: "The Planning Commission provides no recommendation of this rezoning," and

also to change the wording that five (5) votes were needed for a recommendation instead of six (6) votes. Staff will prepare a new letter with the corrections. The motion was seconded by Chair Streeter and **passes by a voice vote of 3 to 0.**

Chair Streeter stated that he wants to hold **P.Z. 29-2002 The Bluffs at Appaloosa Way** until the July 24, 2003 Planning and Zoning Committee Meeting since Councilmember Brown, who represents this area, was out of town.

Project Planner David Bookless gave an overview of **P.Z. 29-2002 The Bluffs at Appaloosa Way.**

General discussion followed concerning the subdivision Indentures.

Planning Commission Chair Victoria Sherman gave an overview of the earlier change of the Indentures and stated that her perceived understanding of the reasons for the minority opinion on this petition was that it was against the Comprehensive Plan Policy to "Reinforce Existing Development Pattern."

Councilmember Hurt asked that in the future the Committee be given a written report stating the minority view if the vote is within one (1).

Councilmember Fults asked that a Planning Commissioner from the minority be present at the next Committee meeting on July 24, 2003.

Councilmember Hurt asked that a Planning Commissioner from both sides of the vote be present at the next Committee meeting.

Councilmember Durrell made a motion to hold **P.Z. 29-2002 The Bluffs at Appaloosa Way** until the next Planning and Zoning Committee Meeting on July 24, 2003. The motion was seconded by Chair Streeter and **passes by a voice vote of 3 to 0.**

***III. P.Z. 5-2003 Liberty Homes:** a request for a "Commercial Services Procedure" within an "R3" District for a .36 acre property located at 996 Chesterfield Parkway East, south of Olive Boulevard and North of Interstate 40/64. (Locator Number: 18S-33-0601)

Senior Planner Anissa McCaskill gave an overview of **P.Z. 5-2003 Liberty Homes** and stated that this petition was approved by the Planning Commission by a vote of 8 to 0. Ms. McCaskill stated that the petitioner had been granted a variance earlier this year from the Board of Adjustment allowing him to apply for a Commercial Service Procedure (CSP) because the Zoning Ordinance only allows CSP's on State highways and Chesterfield Parkway East is a County street. Ms. McCaskill stated that Attachment A states that if the other two (2) homes are redeveloped, cross-access will be required.

General discussion followed concerning the zoning classification for this location, leaving the three (3) homes with the area becoming more commercial, and location of CSP's along streets other than State highways.

Councilmember Hurt stated that there are areas where CSP's are not appropriate.

Councilmember Durrell made a motion to recommend approval and forward **P.Z. 5-2003 Liberty Homes** to City Council. The motion was seconded by Councilmember Hurt and **passes** by a voice vote of 3 to 0.

***Note: One bill, as recommended by the Planning Commission, will be needed for the July 21, 2003 City Council Meeting.
SEE Bill #**

V. Discussion of Tree Ordinance

Mayor John Nations stated that he has received many comments concerning the City's Tree Ordinance. Mayor Nations stated that home builders, between the Tree Ordinance and other zoning ordinances, are sometimes required to remove more trees from a development than they would like. Mayor Nations stated that many residents are also concerned with too many trees being removed. Mayor Nations expressed concern whether the Tree Ordinance is working properly.

Former Mayor Nancy Greenwood also expressed concern that the Tree Ordinance and mitigation are not working. Ms. Greenwood asked the Committee to speed up the process to review and make changes to the Tree Ordinance.

General discussion followed concerning green space, wooded areas, the Tree Ordinance process, saving trees when grading, requiring more landscaping on new developments, mitigation, and 'no touch' zones.

Director of Planning Teresa Price stated that Mr. Jim Rocca, the City's tree consultant, would be asked to the next Committee meeting on July 24, 2003 to discuss the Tree Ordinance with the Committee.

Councilmember Casey stated that subdivisions are cleared to make room for the homes and trees need a chance to mature. Mitigation could be a big factor but also putting in the right kind of trees or larger trees could make a big difference when the property is developed. Councilmember Casey stated that it would be a good idea to have Mr. Rocca meet with the Committee.

Chair Streeter directed Staff to place this item on the next Planning and Zoning Committee Meeting agenda and invite Mr. Rocca, Ms. Greenwood, home builders and other interested parties to the meeting. Chair Streeter asked the Committee to forward questions to Staff before the meeting.

IV. Notification to Trustees on Zoning Approvals

Director of Planning Teresa Price presented the Committee with copies of the Municipal Zoning Authorization form showing the addition for a place for Trustee Acknowledgement.

General discussion followed concerning requiring the signature of all Trustees or fewer, the acknowledgement requirement for new construction for new subdivisions and existing subdivisions, and who may sign the acknowledgement for new construction (agent).

Chair Streeter directed Staff to prepare language to cover the Trustee acknowledgement statement for any requested residential permit activity in an existing subdivision.

Ms. Price stated that once final language is complete, it will be reviewed by City Attorney Doug Beach.

VI. Pending Projects/Departmental Update

Ms. Price stated that the Department is fully staffed.

Ms. Price stated that the main priority of the Department is the Unified Development Code.

Ms. Price handed out additional background information for **P.Z. 29-2002 The Bluffs at Appaloosa Way.**

The meeting adjourned at 6:44 p.m.

TP/kl

