

# MEMORANDUM

TO: Members - P&Z Committee

FROM: Michael G. Herring, City Administrator/Acting-Director of Planning *MGH*

RE: Minutes - August 7 meeting

DATE: August 8, 1997

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A meeting of the Planning and Zoning Committee was held on Thursday, August 7, 1997. The meeting was called to order by Chairperson Dan Hurt, at 5:40 p.m. Other members of the Committee in attendance included Councilmember Barry Streeter - Ward II, Councilmember Mary Brown - Ward IV, Mayor Nancy Greenwood, City Administrator/Acting-Director of Planning Mike Herring and Assistant Director of Planning Laura Griggs-McElhanon. Others in attendance included Councilmember Larry Grosser, Ward II, Councilmember Linda Tilley, Ward IV, Planning Commission Chairperson Rick Bly and approximately thirty (30) guests.

★ TO BE DISCUSSED AT MONDAY'S MTG

II. On a motion by Councilmember Streeter, seconded by Councilmember Brown, the Committee voted 3-0 to approve the minutes from the June 5 meeting.

III. Chairperson Hurt next opened the public hearing regarding P.Z. 32-96, Sebastian Rucci (Eagle Crest Estates) and asked that Mr. Herring read opening comments, explaining how the public hearing was to be conducted.

Chairperson Hurt next recognized Attorney John King, speaking on behalf of the petitioner. Mr. King summarized the proposal, which has been modified to include only forty-seven (47) acres, which is down from the original proposal which contained fifty-three (53) acres. The new proposal includes only thirty-seven (37) single-family residential homes. The proposal features one-acre lots and a 50' landscape buffer along Wildhorse Creek Road. 70% of the trees on the site are to be retained and a stub street has been shown to connect to Chesterfield Estates, immediately to the west.

(Note: Councilmember Barry Flachsbart - Ward I arrived at approximately 5:50 p.m.)

Mr. King next introduced Mr. Todd Brady, a consulting engineer, working for the petitioner. Mr. Brady addressed a variety of stormwater issues. He indicated that the bridge across Caulks Creek had been positioned to dissipate the velocity of the water, such that, at the northern property line, it would be the same as pre-development. He noted that two detention basins would be constructed on-site, reducing the current, pre-development run-off from the site, from 1.7 cfs to 1.0cfs, post-development. The total flow volume within the creek would be approximately the same.

Chairperson Hurt next recognized those wishing to speak in favor of the proposal.

**IN FAVOR**

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Mr. Rick Stegmann, 12910 Taunton (63131), who owns the property proposed for development, spoke in favor of the proposal.

Mr. Mike Doster, 16476 Chesterfield Airport Road (63017), who represents the owners of the property, spoke in favor.

Mr. Scott Welch, 224 Lehigh Meadows (63005), citing the quality reflected by this proposal, spoke in favor.

(Note: Councilmember Flachsbart left the meeting at approximately 6:20 p.m.)

Mr. Jerry Barton, 16635 Wildhorse Creek Road (63005), also commented on the overall quality of this proposal and spoke in favor.

Mr. Mike Lawless, 298 Vance Road (63088) spoke in favor. Mr. Lawless, who would be the builder of this proposed development, indicated, in response to a question by Councilmember Streeter, that he had constructed several other subdivisions: Glenbrook in Valley Park, Glen Eagle/Mission Hills in Valley Park, Providence Place and Providence Point in Lemay, Polo Lake in Ellisville and Emerald Forest in Eureka.

Mr. Melvin Fick, 17827 Wildhorse Creek Road (63005), commented on the quality of this development and spoke in favor.

Ms. Susan Lew, 17028 Chesterfield Estates Ct. (63005), indicated that she had researched this proposal extensively and had studied the engineering regarding the creek and stormwater controls proposed for the site and spoke in favor.

### **OPPOSED**

No speakers spoke in opposition to the proposal.

### **NEUTRAL**

Ms. Wendy Geckeler, 26 Chesterfield Lakes (63005) read a statement expressing appreciation for the efforts of Ward IV Councilmembers Linda Tilley and Mary Brown and indicated that the plan, as submitted this evening, was much improved over previous versions.

Ms. Charla Trusheim, 1452 Chesterfield Estates Drive (63005) indicated a desire for the adoption/approval of the plan submitted tonight, without changing the number of lots or the size of the lots. She also indicated that the developer had agreed to preserve the tree mass contained on lots 10-14.

Ms. Cheri Buettmann, 1429 Jenwick Court (63005) showed a video which demonstrated her stormwater concerns in the area.

Mr. Francis Macalady, Sr., 405 Griffin Lane (63005), also discussed stormwater concerns and indicated existing stormwater problems in the area.

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Dr. Theo Korakianitis, 27 Chesterfield Lakes, also expressed concerns regarding stormwater and indicated that, if the Committee were to vote favorably for this proposals, he wanted the plan, as submitted this evening, with the number of lots shown and the size of the lots shown, to be adopted.

In response to several comments made by (neutral) speakers, regarding the City "assuming responsibility to correct any stormwater-related problems caused by this development", Chairperson Hurt indicated that the City Attorney had previously confirmed that the City has no liability or responsibility other than to insure a complete and thorough review by all appropriate parties, including the City's engineering staff, MSD and the Corps of Engineers and to insure that the development in ultimately constructed in accordance with approved plans. Chairperson Hurt urged all who might have questions regarding this issue to contact City Attorney Beach.

Chairperson Hurt next recognized Mr. King, again, for additional comments. Mr. King indicated that all conditions to be included in the PEU are acceptable to the petitioner. He noted that Griffin Lane was no longer in the project, as it was contained within the 6 acres removed from the project. Mr. Brady addressed the various stormwater concerns. In response to questions from both Councilmembers Hurt and Streeter, he indicated that there is currently a 13,000 cfs flow in the creek and that that level would be maintained, post-development. He indicated that the velocity is 4.76 feet per second when the creek enters the property and that this velocity is proposed to increase to 4.92 feet per second. He indicated that the velocity is currently 6.14 feet per second downstream from the bridge currently and that velocity would be maintained post-development.

After additional discussion, Chairperson Hurt ended the public hearing at 7:20 p.m. and called for a short recess.

(RECESS)

The meeting was reconvened at 7:35 p.m.

★ V. P.Z. 16-92, Barken-Dubinsky (The Valley Center) (SEE BILL # 1431)

Ms. Griggs-McElhanon explained that this proposal would amend the existing sign regulations for this development to allow freestanding business signs. Specifically, the St. Louis Family Church had requested its own sign and this ordinance amendment would allow that to occur. Ms. Griggs-McElhanon indicated that the Planning Commission had voted unanimously to approve this request. On a motion by Councilmember Brown, seconded by Councilmember Streeter, the request was approved. (An ordinance will need to be approved by City Council.)

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(SEE BILL #1430)

★ IV. P.Z. 3-97, Lenette Realty and Investment Company (Clayton Baxter Center)

Chairperson Hurt recognized Mr. Steve Graham, attorney for the petitioner, who explained the changes that were reflected in the plan presented this evening. Mr. Graham noted that tonight's plan represents the seventh revision of the plans for this development, reflecting input received from the residents surrounding this development. The plan now proposes 26,893 square feet of total building space.

There followed general discussion among the members of the Committee. Concerns were expressed regarding the proximity of the proposed Walgreens to the west property line; concerns were expressed regarding the proposed drive-thru for the proposed Walgreens and its proximity to the west property line; it was suggested that office development would be more appropriate than retail for this site; comments were made regarding the general observation that this retail development is too intense, especially given the proximity of the residential development.

Following additional discussion/comments, on a motion by Councilmember Hurt, seconded by Councilmember Brown, the Committee voted 3-0 to affirm the Planning Commission's **DENIAL** of this project. Chairperson Hurt noted that this recommendation would be forwarded to City Council, but that a super majority would be required to overturn the Planning Commission denial. Chairperson Hurt thanked Mr. Graham for his efforts at working with the residents/businesses in this area.

III. P.Z. 31-96, Sebastian Rucci (Eagle Crest Estates) and P.Z. 32-97, Sebastian Rucci (Eagle Crest Estates)

In response to questions from Ms. Griggs-McElhanon, the Committee agreed that the following should be included as conditions: a requirement that the developers irrigate the common ground along Wildhorse Creek Road; that they be required to save the tree mass contained within Lots 10-14; that a condition be added regarding the reserve strip and curb cuts on Wildhorse Creek Road; that a 50 foot access easement be provided from the southern cul-de-sac; Ms. Griggs-McElhanon also noted that the Griffin Lane easement did fall partly within the area shown as common ground for this development, but that that should not be a problem or concern.

On a motion by Councilmember Streeter, seconded by Councilmember Hurt, the Committee voted 2-1, with Councilmember Brown voting "no", to **TABLE** this **until the next meeting** of this Committee. Both Councilmembers Hurt and Streeter expressed a desire to meet with City Engineering Staff to discuss this proposal. Both indicated that they wanted the Planning Staff to use this time to properly prepare the changed conditions such that the plan presented this evening would be the one voted on by this Committee at the next meeting. That would include the number of lots and the size of the lots, as presented this evening.

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Add-on #1 - Selection of liaison to the Board of Adjustment

Mr. Herring noted that the Committee had not selected a liaison to the Board of Adjustment. Mr. Herring noted that Mr. Tognoni, Chairperson of the Board of Adjustment, had requested a Council liaison. On a motion by Councilmember Streeter, seconded by Councilmember Hurt, the Committee voted 3-0 to designate Councilmember Flachsbart as liaison to the Board of Adjustment.

★ Next meetings

Following discussion, the Committee voted unanimously to designate August 21, 1997, at 5:30 p.m., as the next meeting date/time for this Committee. At that time, the Committee will vote on the Sebastian Rucci proposal, as well as all commercial items coming out of the Planning Commission. It was noted that the next meeting of this Committee, after August 21, would be Thursday, September 4, 1997, at 5:30 p.m. The Committee inquired of Ms. Griggs-McElhanon if any of the Moratorium Panel recommendations would be on the August 21 agenda. She replied that those recommendations coming from the various Moratorium Panels would first go to the Planning Commission and that, as a result, no items are presently scheduled for inclusion on the agenda for the August 21 meeting of the P&Z Committee.

The meeting was adjourned at 9:10pm.-----