

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: September 5, 2003

SUBJECT: Planning and Zoning Committee Meeting Summary from September 4, 2003

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, September 4, 2003, in Conference Room 101. In attendance were: Chair Barry Streeter (Ward II), Councilmember Jane Durrell (Ward I), Councilmember Dan Hurt (Ward III) and Councilmember Mary Brown (Ward IV). Also in attendance were: Mayor John Nations; Councilmember Mike Casey (Ward III); Planning Commission Chair Victoria Sherman; Director of Planning Teresa Price; Senior Planner Annissa McCaskill; Project Planner David Bookless; and Kathy Lone, Planning Assistant.

*To be discussed at the 9/15/2003 City Council Meeting.

Chair Streeter called the meeting to order at 5:30 p.m.

I. Approval of the Planning and Zoning Committee Meeting Summary of August 21, 2003.

Councilmember Hurt made a motion to approve the Meeting Summary of August 21, 2003. The motion was seconded by Councilmember Brown and **passes by a voice vote of 4 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).

Chair Streeter stated that **P.Z. 29-2002 The Bluffs at Appaloosa Way** was held at the last Committee meeting in order to receive an opinion from City Attorney Doug Beach concerning the procedure if this petition was withdrawn. The opinion of Mr. Beach is that if this petition is withdrawn it would have to return to the Planning Commission but would not need a Public Hearing. The procedure would be that the Planning Commission would acknowledge that this petition was returned to the Commission for review and then all previous speakers on this petition would be notified by mail. This procedure would take a minimum of two (2) meetings.

Mr. Mike Doster, attorney for the petitioner for **P.Z. 29-2002 The Bluffs at Appaloosa Way**, stated that the petitioner accepts the suggestion of Mr. Beach to return this petition to the Planning Commission. Mr. Doster stated that he does not understand why the previous speakers could not be notified before the first meeting.

Councilmember Hurt stated that it is his understanding that the petition would be reviewed as an 'E-3 (½ Acre)' with the other two (2) parcels removed.

Councilmember Brown stated that the Committee has made changes to the petition that the petitioner has agreed with and these changes should be brought to the attention of the Planning Commission.

Mr. Doster stated that any changes that the petitioner had agreed with would be adhered to.

General discussion followed concerning the minimum number of meetings required at the Planning Commission for this petition and the motion required to return this petition to the Planning Commission.

Councilmember Brown made a motion to refer **P.Z. 29-2002 The Bluffs at Appaloosa Way** back to the Planning Commission based on the request by the petitioner to modify his original petition. The motion was seconded by Councilmember Durrell and **passes by a voice vote of 4 to 0.**

Director of Planning Teresa Price stated that **P.Z. 29-2002 The Bluffs at Appaloosa Way** tentatively would be on the agenda for the September 22, 2003 and October 8, 2003 Planning Commission meetings.

Councilmember Brown requested that all additional amendments be added to this petition.

***III. P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs):** A request for an amendment to City of Chesterfield Ordinance No. 787 to provide for an increase in the number of lots from thirty (30) to thirty-one (31) in the Wildhorse Springs Plat 1 Subdivision, located on the north side of Wild Horse Creek Road, east of Wilson Road.

And

- *IV. **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)**: A request for amendment of City of Chesterfield Ordinance No. 879, providing for a First Amendment to Indenture of Trust and Restrictions of the Wildhorse Springs Plat 1 Subdivision; located on the north side of Wildhorse Creek Road, east of Wilson Road.

Project Planner David Bookless gave an overview of **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** and **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** and stated that these petitions were approved by the Planning Commission by a vote of 8 to 1. Mr. Bookless stated that these two (2) petitions had been originally denied in 1999 because of the concern of setting a precedent to sell common ground for development.

Mr. Bookless stated that there is an obsolete detention basin that the residents would like to sell and use the money to enhance remaining common ground, the front entrance and the subdivision monument sign. Mr. Bookless stated that the developer went bankrupt and never completed the subdivision. The detention basin is not needed as the detention is elsewhere in the subdivision.

Mr. Bookless stated that if approved, the residents would need to subdivide the property due to an emergency access that will remain.

Ms. Linda Malin, Trustee for the Wildhorse Springs Subdivision, stated that this is a unique situation and would not set a precedent.

Councilmember Brown urged the Committee to approve these petitions since it would enhance the neighborhood.

Planning Commission Chair Victoria Sherman stated that the Planning Commission also considered it a unique situation and would not be setting a precedent.

Chair Streeter stated that the Indentures for this subdivision were approved by the City and so the City must approve any amendments for these Indentures.

Councilmember Brown made a motion to recommend approval and forward to City Council **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** to amend Ordinance No. 787 to provide for an increase in the number of lots from thirty (30) to thirty-one (31) in the Wildhorse Springs Plat 1 Subdivision. The motion was seconded by Councilmember Durrell and **passes** by a voice vote of 4 to 0.

***Note: One bill, as recommended by the Planning Commission, will be needed for the September 15, 2003 City Council Meeting.
SEE Bill #**

Councilmember Brown made a motion to recommend approval and forward to City Council **P.Z. 3 & 4-93 DCL Development Co. (Wildhorse Springs)** to amend Ordinance No. 879 providing for a First Amendment to Indenture of Trust and Restrictions of the Wildhorse Springs Plat 1 Subdivision. The motion was seconded by Councilmember Durrell and **passes** by a voice vote of 4 to 0.

***Note: One bill, as recommended by the Planning Commission, will be needed for the September 15, 2003 City Council Meeting.
SEE Bill #**

*V. **P.Z. 08-2003 14691 Clayton Road (Susan Daigle)**: A request for a "Commercial Service Procedure" within an "NU" Non-Urban District for an approximately 1.0-acre tract of land located at 14691 Clayton Road (Locator Number: 21R-44-1504).

Project Planner David Bookless gave an overview of **P.Z. 08-2003 14691 Clayton Road (Susan Daigle)** and stated that this petition was approved by the Planning Commission by a vote of 6 to 2. Mr. Bookless stated that a condition of the approval was that the petitioner file a petition to rezone this property to 'E-One Acre,' which they have.

Councilmember Hurt stated that many neighboring residents are against this Commercial Service Procedure (CSP) and that he does not think that a CSP is appropriate for this location. Councilmember Hurt stated that the entire area is residential and there are no other CSP's from Baxter Road to 141 in Town and Country.

General discussion followed concerning CSP's along Clayton Road and Olive Road.

Councilmember Hurt made a motion to recommend denial and forward **P.Z. 08-2003 14691 Clayton Road (Susan Daigle)** to City Council. The motion was seconded by Chair Streeter and has a voice vote of 2 to 2. (Chair Streeter and Councilmember Hurt voted yes. Councilmember Durrell and Councilmember Brown voted nay.)

P.Z. 08-2003 14691 Clayton Road (Susan Daigle) will be forwarded to City Council with no recommendation.

***Note: One bill, as recommended by the Planning Commission, will be needed for the September 15, 2003 City Council Meeting.
SEE Bill #**

Mayor Nations arrived at the meeting at 6:18 p.m.

VI. CCDC – Development of the Western Portion of Chesterfield Valley – Joel Smiley

Mr. Joel Smiley, Executive Director of Chesterfield Community Development Corporation (CCDC), presented a hand-out of the Valley and gave an overview of the western portion of the Valley. Mr. Smiley stated that the Chesterfield Valley Master Plan Task Force needs to be revised. Mr. Smiley stated that CCDC firmly believes that infrastructure is needed in the western portion of the Valley in order to further develop this area. Mr. Smiley stated that as the economy improves, more companies are going to be looking at the St. Louis region to develop and that companies prefer sites that already have basic infrastructure in place.

Mr. Glen Borgard stated that the western portion of the Valley is west of the airport to Eatherton Road and south of Highway 40 to Wild Horse Creek Road and involves 300 to 400 acres.

General discussion followed with Mr. Smiley, Rudy Stinnet, Glen Borgard and Bill Kirchoff concerning action needing to be taken to identify infrastructure needs, costs and financing options, involving the City of Wildwood, using TIF and recovering the money when properties are built, the involvement of the utility companies, and forming a new committee or using the Valley Master Plan Task Force.

Councilmember Brown stated that the Task Force should include people from the City of Wildwood.

Mayor Nations stated that he would contact the City of Wildwood.

Councilmember Brown suggested using the Department of Public Works.

Councilmember Hurt suggested having Director of Public Works Mike Geisel attend the meetings.

Chair Streeter stated that the Committee agrees with the direction that needs to be taken for development of the western portion of the Valley.

Mr. Stinnett stated that professionals with backgrounds in this area are necessary.

General discussion followed concerning funding by the City and the Transportation Model.

Mayor Nations asked the Committee to get their budget request to the City Council by October.

Councilmember Hurt made a motion to direct the Valley Master Plan Task Force to expand their responsibilities to a Phase II. This would include the western portion of the Valley for public works infrastructure and possibly add representation from the City of Wildwood. The motion was seconded by Councilmember Brown and **passes by a voice vote of 4 to 0.**

The meeting adjourned at 6:59 p.m.

TP/kl

