

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa J. Price, Director of Planning

DATE: October 11, 2004

SUBJECT: Planning & Zoning Committee Meeting Summary – **October 7, 2004**

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, October 7, 2004 in Conference Room 101.

In attendance were: **Chair Bruce Geiger** (Ward II); **Councilmember Jane Durrell** (Ward I); **Councilmember Connie Fults** (Ward IV) and **Councilmember Dan Hurt*** (Ward III). Also in attendance were Councilmember Mike Casey (Ward III); Planning Commission Chair Victoria Sherman; Director of Planning Teresa Price; Senior Planner Annissa McCaskill-Clay; Project Planner Aimee Nassif; and Mary Ann Madden, Planning Assistant.

Councilmember Hurt joined the meeting at 5:38 p.m.

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

I. APPROVAL OF MEETING SUMMARY

Councilmember Durrell made a motion to approve the Meeting Summary of September 23, 2004. The motion was seconded by Councilmember Fults **and passes by a voice vote of 3 to 0.** (Councilmember Hurt was not present for the vote.)

II. **P.Z. 18-2004 City of Chesterfield (Tree Manual):** A request to codify the City of Chesterfield's guidelines/regulations relative to landscaping and trees into the City of Chesterfield Zoning Ordinance and to establish new regulations in regards to tree preservation, tree removal, and landscaping.

Project Planner Aimee Nassif gave a power point presentation highlighting the contents of the proposed Tree Manual.

Chair Geiger felt the language of **Section II, Point B**, regarding exemptions to “Applicability”, was rather cumbersome. After discussion, Chair Geiger made a motion to delete the wording of Section II, B. of the proposed Tree Manual and replace it with the following:

B. Single residential lots of less than one (1) acre that will be removing less than 10,000 square footage of tree canopy are exempted from the provisions of this Tree Manual.

The motion was seconded by Councilmember Durrell and **it passes by a voice vote of 4 to 0.**

After staff review, it was determined that it would be necessary to add the following language to Section II, Point B after the words “Tree Manual”:

provided that all requirements set forth in Sections IV and X are met.

Discussion was held regarding the proposed language on page 12 of the Tree Manual relative to when a Tree Removal Permit is not needed, which the Committee felt was confusing. It was agreed that Project Planner Nassif would propose new language to clarify that there are two separate processes – one for Tree Removal Permits and one for Building Permits.

Discussion was held regarding some of the trees listed in Appendix B as acceptable for street trees. Chair Geiger expressed concern about the use of Ginkgo trees because of their unpleasant smell and Pin Oaks because of their downward-growing limbs.

Chair Geiger made a motion to remove the Pin Oak tree from Appendix B, “Acceptable Species for Street Tree List”. The motion was seconded by Councilmember Fults.

Planning Chair Sherman pointed out that when Pin Oaks are trimmed correctly, their limbs are not a problem along the street. Chair Geiger stated that the City’s tree trimming process occurs only every four years and during this time, the limbs become a problem.

Planning Chair Sherman suggested that an article be included in the Chesterfield Newsletter describing the proper way of trimming Pin Oaks.

The vote to remove Pin Oaks from the Street Tree list resulted in a **vote of 2 to 2.** (Councilmembers Durrell and Hurt voted nay.)

Regarding the use of Ginkgo trees, Planning Chair Sherman stated that only the male or female Ginkgo produces the unpleasant aroma and it was the City’s tree specialist’s suggestion that only the particular Ginkgo that does not produce the offensive odor be used. Planning Chair Sherman further stated that the Ginkgo has the ability to thrive in polluted areas and therefore would be a good selection as a street tree due to being

subjected to vehicle exhaust. It was then agreed that Project Planner Nassif would determine which type Gingko (male or female) doesn't produce an odor so that only that type would be noted as an accepted street tree in the Manual.

Councilmember Fults asked how the process of "mitigation" has been tightened up in the proposed Tree Manual. Planning Chair Sherman replied that the proposed Manual has been re-written with an emphasis on tree preservation.

Councilmember Fults expressed concern with the wording on page 16, Section XIII, D. regarding the mitigation plan, which states:

*Where site constraints or other factors prevent replacement on or off site, the developer shall **have the option of** making a cash contribution to the Chesterfield Tree Preservation Account in an amount equal to the cost of replacing the trees which are not able to be preserved.*

Councilmember Fults then referred to Table 4 on page 18, - "Landscape Requirements for Tree Islands" and the landscaping required for a single island at the end of a single row of parking, which states:

. . . Two (2) deciduous trees are required.

Councilmember Fults stated that when trees are placed at the end of an island, it causes vision problems. Discussion followed indicating that the **height** of certain trees causes the vision problems.

After discussion, Councilmember Fults made a motion to change the wording of Section XIII, D. to read:

Where site constraints or other factors prevent replacement on or off site, the developer shall make a cash contribution to the Chesterfield Tree Preservation Account in an amount equal to the cost of replacing the trees which are not able to be preserved.

and to add language to Table 4 regarding the landscaping required for a single island at the end of a single row of parking, to read:

. . . Two (2) deciduous trees are required that do not block sight distance triangle.

The motion was seconded by Councilmember Fults and **it passes by a voice vote of 4 to 0.**

Councilmember Durrell made a motion to forward **P.Z. 18-2004 City of Chesterfield (Tree Manual)** to City Council with a recommendation for approval, as amended. The motion was seconded by Councilmember Fults and it **passes by a voice vote of 4 to 0.**

**Note: One bill, as recommended by the Planning Commission, will be needed for the October 18, 2004 City Council Meeting.
See Bill #**

III. P.Z. 6-2003: Villages at Kendall Bluff: A request for a Planned Environment Unit (PEU) in a “R1A” Residential District for a 63.8 acre tract of land located on the north side of Olive Boulevard, east of Cordovian Commons Parkway and west of Old Riverwoods. Proposed Uses: Attached single family uses with accessory uses (Locator Number: 17R-53-0192)

Senior Planner Annissa McCaskill gave background information on the project. On May 10, 2004, a revised plan was submitted to the Department based upon issues raised in November, 2003 regarding access to the site and density issues. The petition, with amendments, was forwarded to the City Council on July 8, 2004. The petition was held in August; and in September, it was referred back to the Planning & Zoning Committee for resolution of issues. On September 17th, the Department received a letter from Horner & Shifrin, as representative of Howard Bend Levee District, regarding the project and the suitability of the soil for the site. On September 21st, the petitioner requested that the project be held until the October 7th meeting of the Planning & Zoning Committee for resolution of issues.

Chair Geiger stated that one of the issues that arose related to significant storm water problems in the Ladue Bluffs subdivision and question was raised as to how the development of Kendall Bluff would affect these storm water issues in Ladue Bluffs. The petitioner has submitted plans to correct the storm water issues in Ladue Bluffs. The plans have been reviewed and conceptually approved by the Public Works Department.

Jerry Duepner, The Jones Company, addressed the Committee and stated that the issues are twofold – 1) in some areas, the swales in the back yards are not as well defined as they should be; and 2) there is an inlet along Olive that gathers water and discharges it on to St. Luke’s Hospital/Kendall Bluff project’s proposed curb cut.

The petitioner’s engineer, Mr. Ed Unwin of Sterling Engineers, reviewed how the storm water problems would be corrected by the addition of two more inlets in Ladue Bluffs, along with the reshaping of swale.

Mr. Bob Wall, representing the residents of Ladue Bluff, asked that there be some follow-up with the proposed inlets. He also expressed concern about The Jones Company not being able to start the work until spring, and the additional runoff that would occur once trees are being removed.

Chair Geiger asked Mr. Duepner when grading would start on Kendall Bluff if it was approved this month. Mr. Duepner replied that the earliest it could start would be sometime in the spring.

Councilmember Hurt requested a copy of the design drawings of the inlets from the petitioner.

Considerable discussion and review was held regarding the proposed inlets and whether they should be hard-piped. Mr. Unwin noted that the hillside was heavily vegetated, which would require clearing to pipe underground. Councilmember Hurt stated that he thinks it should be hard-piped and re-vegetated. Chair Geiger agreed with having the pipe buried and the ground re-vegetated. Mr. Duepner pointed out that it is part of the design of Kendall Bluff to hard-pipe it to the detention basin.

Chair Geiger summarized that the petitioner has proposed a correction to the storm water issues that currently exist in Ladue Bluffs, which include adding two inlets and doing some swale re-shaping. This plan has been conceptually approved by the Public Works Department. In addition, if Kendall Bluff is approved, the inlet that is causing the problem in Ladue Bluffs will be hard-piped through the storm water system in Kendall Bluff and discharged into a detention basin.

Councilmember Durrell stated that she would like to see work start before spring. Mr. Duepner expressed concerns about starting before then but agreed to review it with Mr. Geisel of Public Works.

Chair Geiger stated that Attachment A for Kendall Bluff needs to specify that the inlet that is coming off of Olive will be hard-piped into their storm sewer system.

Jeannie Geers, attorney for the petitioner, stated that the Jones Company has agreed to provide a pathway along the bottom of the bluffs/northwest corner of the subject property.

Ms. Geers addressed the issue of the western boundary line of Kendall Bluff and requested that the 50' non-disturbance be preserved up to a distance of 930' from Olive Boulevard. This would accomplish preserving the natural buffer and would accommodate The Jones Company's proposed grading in that particular area.

Ms. Geers also requested that the 80' setback on the eastern property line be amended to allow a varied setback to accommodate decks for Units 12B and 13B. The petitioner further stated that they are willing to preserve a 50' natural non-disturbance buffer on the eastern boundary.

Councilmember Durrell made a motion to amend Attachment A to include a 50' non-disturb area on the eastern boundary line. The motion was seconded by Councilmember Fults and it **passes by a voice vote of 4 to 0.**

Mr. Wall referred to a map of the site and expressed concern that if trees are removed in particular areas, drainage and erosion problems may occur.

Considerable discussion was held regarding the petitioner's requests relative to the western boundary line and the variance setback on the eastern property line. Councilmember Durrell then stated that she and Councilmember Flachsbart would meet with the developer and Public Works regarding the non-disturb area on the western boundary and a possible retention pond.

Councilmember Durrell made a motion to recommend approval of the amendment to Attachment A regarding the 50' non-disturb area on the eastern boundary and to forward **P.Z. 6-2003: Villages at Kendall Bluff** to City Council with **no recommendation**. The motion was seconded by Councilmember Fult and it **passes** by a voice vote of 4 to 0.

**Note: One bill, as recommended by the Planning Commission, will be needed for the October 18, 2004 City Council Meeting.
See Bill #**

IV. Pending Projects/Departmental Update - None

V. Other - None

VI. Adjournment

The meeting adjourned at 7:23 p.m.