

MEMORANDUM

TO: Michael G. Herring, City Administrator

FROM: Teresa Price, Director of Planning T—

DATE: October 27, 1997

SUBJECT: Planning and Zoning Committee Meeting Summary from October 23, 1997

A meeting of the Planning and Zoning Committee of the Chesterfield City Council was held at 5:30 p.m., on Thursday, October 23, 1997, in the City Council Conference Room. In attendance were Chairman Dan Hurt (Ward III); Councilmember Barry Flachsbart (Ward I); Councilmember Barry Streeter (Ward II); and Councilmember Mary Brown (Ward IV). Also in attendance were: Linda Tilley, Councilmember Ward IV; Bob Grant, Vice-Chairman of the Planning Commission; Michael Herring, City Administrator; Teresa Price, Director of Planning; and, Laura Griggs-McElhanon, Assistant Director of Planning.

I. Approval of Planning and Zoning Committee meeting summary of October 9, 1997.

A motion for approval was made by Councilmember Streeter, seconded by Councilmember Brown and approved by a vote of 4 to 0.

II. Meeting Memo

This item was not discussed.

III. P.Z. 21-97 City of Chesterfield Planning Commission; Moratorium issues - revisions to the Subdivision Ordinance.

Director of Planning Teresa Price provided a copy of memos from Michael Geisel, Director of Public Works/City Engineer on: Streets; Trees; Traffic; Character of Neighborhoods; and issues raised at the last Committee meeting relative to revisions to the Subdivision Ordinance..

Discussion of issues raised at the last Committee meeting:

1) References to "local street"

A motion to use "local street" in all instances in the Subdivision Ordinance was made by Councilmember Flachsbart, seconded by Councilmember Streeter and approved by a vote of 4 to 0.

(2) Off-street parking in the right-of-way.

Public Works Director/City Engineer Michael Geisel has clarified that his request is that no required parking be allowed in right-of-way.

A motion to not allow off-street parking in the right-of-way was made by Councilmember Flachsbart, seconded by Councilmember Streeter and **approved** by a vote of 4 to 0.

(3) Stub street sign.

Councilmember Flachsbart stated that the signs should be larger than 12" by 18". He requested that Public Works Director/City Engineer Michael Geisel be asked to determine a bigger allowable sign size.

Staff was directed to have Public Works Director/City Engineer Michael Geisel contact Councilmembers Streeter and Flachsbart on this issue.

A motion to adopt Public Works Director/City Engineer Michael Geisel's recommendation, either as currently stated (12' by 18") or larger, was made by Councilmember Flachsbart, seconded by Councilmember Streeter and **approved** by a vote of 4 to 0.

(4) Pavement width and right-of-way, should "C" districts be added?

Public Works Director/City Engineer Michael Geisel has indicated that the pavement width doesn't need to be wider in "C" districts.

A motion to accept Public Works Director/City Engineer Michael Geisel response was made by Councilmember Flachsbart, seconded by Councilmember Streeter and **approved** by a vote of 4 to 0.

NOTE: P.Z. 21-97 City of Chesterfield Planning Commission (revisions to the Subdivision Ordinance) is recommended for approval and will go to City Council on November 17, 1997.

Additional moratorium discussion:

City Administrator Michael Herring requested that the Planning and Zoning Committee authorize Staff to develop a proposal for P&Z consideration to allow for "mitigation" for projects "in the pipeline". The proposal would define "in the pipeline" and possibly address "grandfathering." It was intended that any such "mitigation" procedure would be in place before action by City Council to adopt "moratorium-based" ordinances.

There was general discussion among Staff and the Committee on this request.

As an aside, Councilmember Flachsbart stated that when the City Council approved the moratorium, it was agreed that only one staff person would be working on petitions and everyone else would work on the moratorium.

Chairman Hurt confirmed that the Committee had given this direction; but that allocation of manpower was ultimately a Staff decision. Councilmember Hurt noted that Staff understands the priority nature of those issues and that nothing has fallen through the cracks. The effort by Staff has been of high quality.

Councilmember Brown suggested that Staff look at other ordinances (signs) and guidelines (landscaping) adopted by the City and determine how we applied these to developments adopted after those ordinances were enacted.

A motion to have Staff look at mitigation and possible grandfathering and come back to P&Z with recommendations was made by Councilmember Flachsbart and seconded by Councilmember Brown.

Councilmember Streeter called the question.

The motion was **approved** by a vote of 4 to 0.

City Administrator Michael Herring stated that if the P&Z Committee, or anyone else in attendance, or anyone else who becomes aware of Staff's efforts has any suggestions, they should contact either Ms. Price or Mr. Herring.

- V. **P.Z. 23-97 City of Chesterfield Planning Commission**; a proposal to establish a requirement for disclosure of information relative to future land use and local noise impact. (In addition, the proposed Tree Protection criteria and revisions to the Comprehensive Plan will be discussed.)

The first topic discussed was the Tree Protection Ordinance/Tree Manual.

Councilmember Brown, chairman of the Tree Moratorium Panel, provided a summary of the proposed ordinance, who it would apply to, and at what point it would apply. She noted that as currently proposed, anyone with less than 3 acres would be exempted.

Chairman Hurt stated that the Committee is only going to address new development now.

There was general discussion among the Committee and Skip Kincaid, consultant for the Tree Moratorium Panel on "trash trees" and diseased trees.

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Councilmember Flachsbart stated that the basic thrust of the ordinance is right. He is concerned with who is making the judgement. Aren't we opening ourselves to legal battles?

Skip Kincaid replied that the tree stand delineation/preservation plan will show the necessary information. He stated that the guidelines proposed are to guide the Planning Department or experts hired to assist the Department.

Chairman Hurt inquired as to what was controversial?

Skip Kincaid responded that the issue of easements. Public Works Director/City Engineer Michael Geisel suggested getting a list of easements and letting the easements without utilities be counted toward the 30% preservation requirement. Mr. Kincaid that he has a problem with this.

There was general discussion of easement issue.

Councilmember Flachsbart stated that it is important to get easements and inquired if there was a way to compromise?

Planning Commission Vice-Chairman Bob Grant stated that the Planning Commission recognized easements allows utilities to come in at anytime and take down trees. He stated that side easements are less likely to be used for utilities.

Skip Kincaid stated that one way to address this is to require the developer to replace the same X number caliper inches that are removed either on-site, or set up a tree bank.

Councilmember Brown stated that the expectation is that developments will preserve woodlands in common ground like they do now.

Chairman Hurt inquired where the 30% figure came from.

Skip Kincaid replied that it is a figure that is used in ordinances elsewhere (based on comparison with other ordinances).

There was general discussion of who has to get a permit.

Councilmember Flachsbart stated that there were very good panels working on moratorium issues and he feels that we need to rely on their work, except where Staff has a concern.

Assistant Director of Planning Laura Griggs-McElhanon summarized the Planning Commission revisions to the Tree Protection Ordinance/Tree Manual.

Councilmember Brown clarified that the entire panel was not involved with the decision to establish the 3 acre minimum. That was based on Public Hearing input and conversations with the City Attorney and Skip Kincaid.

Councilmember Flachsbart replied that our large lot residential zoning requires a 3 acre minimum. A motion to approve the Tree Protection Ordinance and Tree Protection Manual as amended by the Planning Commission was made by Councilmember Brown and seconded by Councilmember Streeter.

Councilmember Flachsbart stated that he reserves the right to come back to address issues if Public Works Director/City Engineer Michael Geisel has problems.

Councilmember Streeter agreed with Councilmember Flachsbart.

The motion was approved by a vote of 4 to 0.

The second item discussed was Special Items (P.Z. 23-97).

A motion to approve the recommendation from the Special Items Panel to require posting of Comprehensive Plan information and Spirit Airport Noise information in sales offices was made by Councilmember Brown, seconded by Councilmember Streeter and approved by a vote of 4 to 0.

The third item discussed was the Comprehensive Plan.

Assistant Director of Planning Laura Griggs-McElhanon summarized recommendations from the Streets and Traffic Moratorium Panels requiring studies and revisions to the Comprehensive Plan. The Planning Commission was supportive of the recommendations.

A motion to approve, subject to the realities of the approved budget, was made by Councilmember Flachsbart, seconded by Chairman Hurt and approved by a vote of 4 to 0.

IV. P.Z. 22-97 City of Chesterfield Planning Commission; Moratorium issues - revisions to the Zoning Ordinance.

Councilmember Flachsbart handed out a copy of his e-mail concerning this petition.

This petition will be discussed at the next Committee meeting.

Director of Planning Teresa Price stated that at the November 6 Committee meeting, the final format of all moratorium items will be presented.

A special meeting has been scheduled for 6:30 p.m. on Thursday, October 30, 1997.

The meeting adjourned at 6:45 p.m.